



TOWN OF KITTERY
200 Rogers Road, Kittery, ME 03904
Telephone: (207) 475-1329 Fax: (207) 439-6806

TOWN COUNCIL

WORKSHOP AGENDA

MONDAY, OCTOBER 17, 2016

COUNCIL CHAMBERS

6:00 P.M.

The Kittery Town Council will hold a workshop with the Parks Commission to discuss park fees.

Posted: 10/13/16

REPORT to the KITTELY TOWN COUNCIL

Fort Foster Update

October 17, 2016

The first two pages are a summary of a further detailed Report to Council. The Parks Commission reviewed many issues concerning the Parks Commission and the Town Council. The detailed report provides information on each solution and begins on page 3. The focus of the agenda is in order of priority as represented by the outcome of the previous workshop and Parks Commission opinion. It is the request of the Parks Commission that if the Town Council would like to discuss an item at the workshop, the order be followed to be as effective as possible. If the Town Council has other ideas to add, the Parks Commission would request to receive the ideas in writing and will be happy to discuss them at a future time.

RESPONSIBLE INDIVIDUALS (Parks Commission):

Rich DeMarco (Co-Chair), Page Mead (Co-Chair), Gale Turner, Kristina DeMarco, Denise Payne, Dave Wrocklage, Richard Brooks, George Dow

Subject: Parks Commission update and recommendation on issues concerning Fort Foster

Current Situation:

Fort Foster attendance has increased significantly. This continues to put stress on resources and staff.

- The significant increase in use of the park has inherently increased the risk of safety and disobedience of the rules/regulation.
- Additional staff was requested by DPW.
- The gatehouse has been improved and increased police presence has been requested since the robbery.

DATA:

| | 2003 Gate Info | | | 2015 Gate Info | | |
|------------|----------------|----------|------|----------------|----------|-------|
| | Adults | Children | Dogs | Adults | Children | Dogs |
| May | 777 | 173 | 61 | 3621 | 1321 | 344 |
| June | 671 | 496 | 12 | 3881 | 2246 | 302 |
| July | 3866 | 2102 | 169 | 8174 | 4473 | 618 |
| Aug | 2,846 | 1164 | 117 | 7987 | 3672 | 642 |
| Sept | 586 | 137 | 38 | 3405 | 1059 | 316 |
| Totals | 8,746 | 4,072 | 397 | 27,068 | 12,771 | 2,222 |
| % increase | | | | 209% | 214% | 460% |

Fort Foster has two sets of rules for Fort Foster; during Park Hours and when the park is closed. Although many issues occur at Fort Foster during both time periods the Parks Commission has looked at both time periods separately

1 **Parks Commission Recommendation during operation hours:**

2 It is believed that the increase in use puts pressure on resource and frequency of violations just based on the
3 law of numbers. Fort Foster is becoming a popular destination for locals and tourists. The increase in use warrants
4 the need for additional staff and more rule enforcement during park hours. As the top solution to multiple problems
5 it is the recommendation of the Parks Commission a Community Service Officer (CSO) position be developed and
6 begin by season opening 2017. The Parks Commission has begun to work through some details (appendix A), but
7 due to new leadership still requires support and input of the new Town Manager, new Police Chief, and new
8 Commissioner of Public Works.

9
10 **Parks Commissions recommendation when the park is closed:**

11 Fort Foster is a nice spot for dogs to run and be off leash. While the park is closed, Fort Foster provides this
12 privilege to dog owners. The Parks Commission does not see this as an issue. Former Police Chief Short confirmed
13 very little crime is seen at Fort Foster after hours. The Parks Commission does not see allowing pedestrians into the
14 park when the park is closed as an issue. The largest complaint is related to dog waste being left at the park.
15 Although the majority of complaints, during this time, are related to dogs and dog waste, the number of written
16 complaints averages <5 per year. The Parks Commission speculates this issue is more of a nuisance and a sign of
17 disrespect, but that the severity of the problem is exaggerated through word of mouth. More analysis should be
18 done to see how widespread and serious dog waste issues are.

19 The Parks Commission recommends to monitor the severity of dog waste and the number of complaints
20 during the 2016-2017 off season. The Parks Commission would recommend funding and implementing a public
21 opinion poll and has opened communication with Seacoast online to discuss polling options
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Problems at Fort Foster during park hours.

Current Situation:

The Parks Commission has tried posting park rules and word of mouth to educate people to respect the park, the rules, and other patrons. Gate attendants are vocal to educate visitors on park rules. Police and ACO make a presence. Despite these efforts, people complain of the lack of respect given to the rules during this time (ex. dogs waste, dogs on mom's beach, dogs off leash, reserve tables prior to opening, trash, cutting through the fence to access neighboring beach, future drone use, etc.) For full list of the FF Rules and Regulations (see appendix F). Dogs off leash is deemed the most concerning by the Parks Commission and afraid this could be a liability to the town if not enforced. Consequences could be serious and life changing. The town has an obligation to protect park visitors and its community. In addition, the increase in use inherently increases the risk to safety, disobedience of the rules/regulation, impacts the infrastructure, ability to control crowds, and experience of visitors.

Solutions:

- Increase enforcement (Supported by the PC):
 1. Community Service Officer (CSO) could be hired to patrol on foot and bike during park hours.
 - PRO – PROVED TO BE EFFECTIVE BY YORK (see appendix B) AND KITTY ACO CONFIRMED VIOLATIONS ARE MINIMAL WHEN THERE IS A PRESENCE, VISUAL SIGN OF ACTION, ALLOWS THE PUBLIC AN OPPORTUNITY TO COMPLAIN AS CRIME IS BEING COMMITTED
 - CON – COST
 2. The ACO and Police can be used
 - PRO – EASY TO IMPLEMENT
 - CON – EFFECTIVENESS IS ONLY PROVEN WHILE PRESENCE IS ON SITE, COST COULD EXCEED THAT OF REO IF INCREASE USE, USING EXISTING RESOURCES FOR PATROL WOULD REDUCE PATROL OF OTHER AREAS
- Increase fines (Supported by the PC)
 - PRO – COULD DISCOURAGE VIOLATIONS, POTENTIAL INCREASE IN REVENUE FROM FINES
 - CON – REQUIRES CODE CHANGE AND ENFORCEMENT
- Segment Fort Foster for dogs allowed areas and no dogs allowed areas (Not supported by the PC):
 - PRO – PROVES EFFECTIVE IN PORTSMOUTH (ex. Pierce Island)
 - CON – POTENTIAL LOST REVENUE, LOGISTICS TO IMPLEMENT, POTENTIAL NEGATIVE REACTION FROM COMMUNITY, NOT EFFECTIVE WITHOUT ENFORCEMENT (ex. Baby Beach)
 - PC THOUGHTS: ADDING WATER AND WASTE RECEPTALS TO A FENCED IN AREA FOR DOGS TO RUN OFF LEASH AT ALL TIMES MIGHT BE SUPPORTED BY DOG COMMUNITY. BALLFIELD AND GRASS PARKING AREA PROVIDE OPTIONS FOR LOCATIONS
- Close Park to Non-Residents (Not supported by the PC):
 - PRO – REDUCES USE
 - CON – LOST REVENUE, LOGISTICS TO IMPLEMENT, POTENTIAL NEGATIVE REACTION FROM WIDESPREAD COMMUNITY
- Do not allow dogs during park hours (Not supported by PC)
 - PRO – SOLVES PROBLEM, NO COST TO IMPLEMENT
 - CON – THE POTENTIAL COMMUNITY DISAPPOINTMENT AND BACKLASH IS UNKNOWN, LOSS OF REVENUE
- Do nothing
 - PRO – EASY, NO COST,
 - CON – DOES NOT ADDRESS THE PROBLEM, POSSIBLE LIABILITY IF NOT ADRESSED

Problems at Fort Foster when the park is closed.

Background:

When Fort Foster closed, pedestrians are still allowed to enjoy the park and dogs are allowed off-leash. The a "pooper scooper" and "carry-in, carry-out" rule is in effect at all times. different during this time when there is little to no oversight. The rules currently in place are:

12.14.010 DOGS/ANIMALS

With the exception of dogs, no domestic animals are allowed in Fort Foster Park. Dogs are subject to the following conditions.

A. Dogs must be leashed at ALL times during park hours.(10AM-8PM) on weekends in May and September, and every day from Memorial Day until Labor Day, inclusive. A maximum leash of 8 feet is allowed.

B. While under the direct control (Off leash) of the owner or keeper, dogs are allowed in the park during the following days and times:

- 1. During weekdays, prior to Memorial Day in May*
- 2. Before park opening (sunrise to 10AM) between Memorial Day and Labor Day.*
- 3. During weekdays, after Labor Day in September.*
- 4. Between sunrise and sunset from October 1 - April 30, inclusive.*

A "Pooper Scooper" rule is in effect for dogs. Owners or keepers must take their dogs' solid waste with them when leaving the park. (Ord. 13-00).

12.14.030 PENALTIES

This chapter is enforced by the Kittery Police Department. Any person who violates any provision of this chapter commits a civil violation for which a penalty of not more than one hundred dollars (\$100) may be adjudged. All penalties recovered shall accrue to the benefit of the Town. (Ord. 14-05; Ord. 13-00).

Current Situation:

The Parks Commission has tried signs and word of mouth to educate people to respect the park, the rules, and other patrons. Despite these efforts, people complain regularly of the lack of respect shown during this time about leaving dog waste behind.

Possible Solutions:

- Do nothing (Supported by the PC):
 - PRO – EASY, NO COST,
 - CON – DOES NOT ADDRESS THE PROBLEM
- Increase enforcement (Supported by the PC):
 1. Community Service Officer (CSO) could be hired to patrol on foot and bike during park hours.
 - PRO – PROVED TO BE EFFECTIVE BY YORK (see appendix B) AND KITTERY ACO CONFIRMED VIOLATIONS ARE MINIMAL WHEN THERE IS A PRESENCE, VISUAL SIGN OF ACTION, ALLOWS THE PUBLIC AN OPPORTUNITY TO COMPLAIN AS CRIME IS BEING COMMITTED
 - CON – COST
 - 2.The ACO and Police can be used
 - PRO – EASY TO IMPLEMENT
 - CON – EFFECTIVENESS IS ONLY PROVEN WHILE PRESENCE IS ON SITE, COST COULD EXCEED THAT OF REO IF INCREASE USE, USING EXISTING RESOURCES FOR PATROL WOULD REDUCE PATROL OF OTHER AREAS
 - 3.Use video surveillance to monitor and catch violations
 - PRO – HELP TO MONITOR HIGH CRIME AREAS. COULD CATCH VIOLATIONS AS IT OCCURS
 - CON – POTENTIAL COST, RELOCATES PROBLEM TO NON MONITORED AREAS, ENFORCEMENT

- Install bio waste receptacles (Supported by the PC):
 - PRO – COULD SOLVE PROBLEM OR AT A MINIMUM MAKE THINGS BETTER
 - CON – COST, LOGISTICS TO IMPLEMENT AND MAINTAIN, USE WOULD EXPAND TO EVERYONE, REWARDS VIOLATORS
 - PC THOUGHTS - ACO OR PARK EMPLOYEES COULD WALK THE PARK PRIOR TO OPENING, CONTRACT OUTSIDE COMPANY OR INDIVIDUAL TO EMPTY
- Implement Education Program (Support is split in PC 3 in favor, 3 against)
ACO and others could pass out brochure at the beginning of the season (see appendix B)
 - PRO – MINIMUM TO IMPLEMENT, PROVES EFFECTIVE IN RYE
 - CON – ORGANIZATION OF IMPLEMENTATION, COST
- Change rule to be on leash at all times (Not Supported by the PC)
 - PRO – COMMON SENSE HAS DICTATED THAT OWNERS ARE MORE LIKELY TO PICK UP WASTE WHEN DOGS ARE ON LEASH
 - CON – THE POTENTIAL COMMUNITY DISAPPOINTMENT AND BACKLASH IS UNKNOWN, POTENTIAL LOSS OF REVENUE
- Do not allow dogs when the park is closed (Not supported by the PC):
 - PRO – SOLVES PROBLEM, NO COST TO IMPLEMENT
 - CON – THE POTENTIAL COMMUNITY DISAPPOINTMENT AND BACKLASH IS UNKNOWN, POTENTIAL LOSS OF REVENUE
- Close park to all pedestrians and dogs during non park hours (Not supported by the PC):
 - PRO – SOLVES PROBLEM
 - CON – RESTRICTS PUBLIC FROM ENJOYING A BENEFIT OF LIVING IN THE KITTELY COMMUNITY

Additional ideas of on-site waste incinerator, electronic key cards for residents only, personalized dog bags and all were deemed not practical

Community Watch Program

Judy Spiller has agreed to spearhead efforts to organize and build a community self policing force in the community. This is being looked into for implementation as soon as possible. This will not fall under the responsibility of the Parks Commission, but is supported by the PC. Preliminary thoughts are this group would help educate dog owners on site, can collect donation to help pay for dog bags (~\$400 during off season) or other possible expenses, can wear tee shirts to show belonging and presence. The Parks Commission would suggest any donations be directed to Kittery Maine Improvement Foundation.

Funding

Background:

- 2014 recommended multiple increases in fees.
 - Parks Commission recommended fees increase in 2014 with reasons of:
 - Park facilities have been updated (ex. Bathrooms, playground, gatehouse)
 - Most fees have not been increased in over 10 years
 - Parks Commission favors small incremental increases opposed to larger ones less often
- TC increased Out of Town passes from \$50 to \$60.
 - In 2015 431 OOT passes resulting in additional ~\$4310 in expected annual revenue

Current Situation:

- Fort Foster generates excess revenue
 - Total excess revenue for 2015 season was \$56818.5 going into the general fund
 - Fort Foster and Seapoint Beach Expenditures for 10/2014-10/2015 were \$131626.25
 - Fort Foster Revenues for 10/2014-10/2015 were \$188,444.75
 - (\$156283.25gate + 32161.5 town hall)
- Fort Foster's revenue has increased yearly since 2013.
- Department of Public Works budget has decreased yearly since 2013.

Parks Commission Recommendation: It is the recommendation of the Parks Commission to increase the budget of the Department of Public Works to include the cost of a park monitor. If additional revenue is needed the Town Council should consider an increasing in fees.

Solutions:

- Increase Budget
 - It is the recommendation of the Parks Commission to increase the budget of the Department of Public Works to include the cost of any solutions implemented
 - The Parks Commission would recommend an increase the budget of the Department of Public Works to include the cost of professional help to finish updates to the Management Plan, adding a Community Service Officer (CSO) and better invasive species program
- Review free passes being issued (see appendix C)
- Increase Fees
 - Although increasing fees is a viable solution, the Parks Commission is not in favor of increasing fees.
 - The Town Council has shown precedent that money is available based on the approval of free passes to the school board.
 - The record keeping is not detailed enough to understand the benefits or consequences of increasing fees.
- Dog Passes
 - Parks Commission will consider this an option only if more funding is needed.
 - The logistics of instituting, executing, and enforcing have shown to be complex to initiate.
- Extend Park Hours
 - PRO – POTENTIAL INCREASE IN REVENUE
 - CON – RULES NEED TO BE ENFORCED, STAFFING, POTENTIAL LOSS IN REVENUE IF VIEWED NEGATIVELY BY DOG OWNERS

1 **Financial Review**

2 **Current Situation**

- 3 • Passes are sold at the Town Hall, at Fort Foster entrance gate
- 4 • Reservations are paid to the Recreation Department
- 5 • Information not shared consistently
- 6 • Data Collected is not detailed enough
- 7 ○ Names and amounts are kept by Town Hall
- 8 ○ No data is logged to display what was type of pass was purchased
- 9 ○ Only total revenue is kept by gate attendants
- 10 ○ No detail can be accessed by the Finance Director for revenue collected at the gate or Rec
- 11 Department
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|-------------------------------------|----------------------------|
| \$20 | Kittery season Pass |
| \$15 | duplicate non resident |
| \$5 | kittery duplicate pass |
| \$0.50 | Family member pass card |
| \$5 | senior citizen season pass |
| <u>Passes not sold at town Hall</u> | |
| \$1/\$5 | Child/adult walkin |
| \$60 | Non resident pass |
| \$100 | bus |
| \$50 | Student school bus |
| \$50,\$100 | reservations |
| \$10 | Vehicle pass |

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14 **Parks Commission Recommendation:** It is the recommendation of the Parks Commission to fund implantation of

15 new electronic data collection software and establish ability to pay for gate issued passes with credit cards

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- 17 Solutions:
- 18 • Restructure the way data is collected and stored for FF fees collected to understand the impact to
- 19 changing fees and generating revenue
- 20 • Computerized
- 21 • NEEDS INPUT FROM TOWN CLERK, FINANCE DIRECTOR, AND DPW TO WORK THROUGH LOGISTICS
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1 **Design new dog park**

2 Although Fort Foster currently provides a place for dogs to run, a new dog park could be instituted in Kittery.
3 It is viewed as is very effective in Portsmouth (Appendix B) to have designated dog spaces where water and waste
4 receptacles are provided. Smaller fenced in areas keep dog complaints to a minimum and are able to be effectively
5 policed.

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7 **Parks Commission Recommendation:**

8 Developing public areas where no dogs are allowed (ex .playgrounds and athletic fields) should be balanced
9 with places that dogs are welcomed. Development of a dog park should be a requirement if any restrictions allowing
10 dogs at Fort Foster are considered.

- 11 • PRO – VIEWED POSITIVELY BY DOG OWNERS?, CONTAINS ISSUES
 - 12 • CON – COST TO INITIATE AND MAINTAIN, ENFORCEMENT, LOSS OF PUBLIC USE OPEN SPACE
 - 13 • PC THOUGHTS: JPJ – state owned and/or EMERY FIELD – by the old rec center could be looked at as
14 possible locations (see Appendix E)
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1 **Management Plan is out of date for Seapoint and Fort Foster**

2 **Current Situation**

- 3 • The Fort Foster Management Plan has been updated (see attachment) and needs help for completion
- 4 • The format is hard to work with in Microsoft Word and needs to be restructured
- 5 • Some text needs to be written by someone more qualified
- 6 ○ Nancy Puff had tried to help with the reformatting and stopped helping when she
- 7 resigned. I have a .pdf now that can not be changed.
- 8 ○ Carol has offered to find help, but nothing has progressed.
- 9 ○ New Manager has not been asked
- 10 • Seapoint is not as in need of as many changes and will be completed when additional help is confirmed

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12 **Solutions:**

- 13 ○ Provide more professional help to complete
- 14 ○ Gary Beers has offered his input and will be consulted.
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18 **Seapoint Beach**

19 **Parking spots needs to be reviewed and might require an ordinance change per Chief Short**

20 *C. Parking is allowed on the south side of Seapoint Road from its intersection with Thaxter Road a*

21 *distance of five hundred fifty (550) feet in a westerly direction, subject to the following restrictions:*

- 22 *1. All vehicles must be parked off the paved roadway surface;*
- 23 *2. May 15th to September 30th, inclusive, all parking is limited to vehicles bearing valid Kittery*
- 24 *solid waste stickers or guest permits issued by the police department;*
- 25 *3. October 1st to May 14th, inclusive, parking is allowed without stickers.*
- 26

27 Dogs are still a complaint, but the mix of dogs allowed off leash or dogs not allowed could be keeping complaints to

28 a minimum. The Parks Commission has received complaints of entitlement where only dogs off leash are allowed at

29 seapoint and changing the reputation of Seapoint Beach being a Dog Beach should be considered.

30 Enforcement can be increased to make sure only resident dogs are using Seapoint Beach during the summer months

31 **12.4.8 Animals.**

32 *No domestic animal is allowed within Seapoint or Crescent Beaches except that dogs, while under*

33 *the control of their owner or keeper, are allowed on Crescent and Seapoint Beaches at times other*

34 *than between the hours of 10:00 a.m. to 5:00 p.m. from June 15th through September 10th of each*

35 *year. This limitation does not apply to guide or seeing eye dogs when used as such. At no time may*

36 *the owner or keeper of any dog allow that dog to run at large on Crescent or Seapoint Beaches or*

37 *enter upon any publicly owned saltmarsh immediately adjacent to Seapoint or Crescent Beach.*

38 *From May 15th and September 30th inclusive, only dogs licensed to town residents are allowed on*

39 *Seapoint and Crescent Beaches.*

40 *A pooper scooper rule is in effect for dogs. Owners and keepers must properly dispose of animal waste either*

41 *by placing it in supplied receptacle(s) or if one is not supplied by taking it with them when leaving the*

42 *beaches.*

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1 **Not all Parks are represented by Parks Commission**

2 **Current Situation**

- 3 • Parks Commission is only overseeing Fort Foster and Seapoint Beach (see Appendix D)
- 4 • Conservation Commission oversees Rogers Park
- 5 • All other parks are overseen by DPW
- 6 • Creates confusion for TC

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8 **Parks Commission Recommendation:**

9 The Parks Commission has reviewed all open spaces. Many do not require policies. The Parks Commission
10 has previously worked with Chair of Conservation Commission and Commission of Public Works to be
11 communicated with regarding any development or change to open spaces. The Parks Commission is open to
12 consider oversight on Legion Pond, Rice Ave, John Paul Jones Park (when town owned), Crescent Beach, Rip Rap at
13 Sarah Long Bridge (if available).

- 14 • Internal structure of Parks Commission
 - 15 ○ PC involvement: Fort Foster, Seapoint Beach
 - 16 ○ PC Limited Involvement: Legion Pond, Rice Ave, John Paul Jones Park (when town owned),
17 Crescent Beach, Rip Rap at Sarah Long Bridge
 - 18 ○ Open to Future Consideration of including Emery Field, Rogers Park, Town Farm (forest), Wood
19 island. **REQUIRES CONVERSATION WITH DPW AND CONSERVATION COMMISSION**
 - 20 ○ No PC involvement: Shapleigh School, Solid Waste, Haley Field, Seaward Rec Complex, Rice
21 Library, Traip Academy, Town Hall, Frisbee Field, Memorial Field, Memorial Circle, DPW, Naval
22 Museum, Frisbee Commons, Wallingford Square, Mitchell School, Old Red School Houses, Fort
23 McClary, Remick Preserve, Norton Preserve, Molton (forest), Furbish (forest), Cutts (forest),
24 Fairchild (forest), Martin Rd (forest), Ram Island, Town Landing, Norton Rd (forest), Frisbee
25 Wharf,

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27 **Solutions:**

- 28 • Change Parks Commission Duties on Town Code

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35 **Other Park Policies**

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38 **Invasive Species** – The Parks Commission would like to develop a program to reduce invasive species and control
39 their presence at FF.

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41 **Future Infrastructure Projects** - We will communicate with the CIP to get the necessary projects on their radar
42 Park Commission Issues

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44 **Drones** – See appendix G
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APPENDIX A

Community Service Officer (CSO)

- Does not re-allocate existing police presence in Kittery. Just being a presence is proved to be an effective solution. Can enforce the rules. Would call police if situation escalates beyond control. Parks Commission has taken informal polls at Fort Foster which show the public supports the idea and would not need the individual to have a firearm. The Parks Commission would recommend the position fall under the police department and paid for by DPW.
- Cost
- Can Patrol Seapoint

Job Description

- 2 people part time. Stagger hours
- Needs to be flexible and weather dependent.
- Targeting College Students / Criminal justice majors
- Will be on bicycles
- Can write tickets and have jurisdiction to remove uncooperative people from the park
- Will be uniformed, will be unarmed, will radio police if confrontation escalates.

Department Inclusion:

- Police Department or DPW

Anticipated Cost:

- \$25,000
 - \$23,200
 - \$20/hr x 10hr = \$200/day
 - 9 weekends = 18 days
 - 14 weeks x7 = 98 days
 - 20hrs/week just during weekends in May/Sept
 - 70hrs/week during June, July, August
 - \$1800 additional incidental costs
 - Police chief is confident minimal cost for bikes.
 - Can potentially combine training costs an program with York
 - No benefits expected

APPENDIX B

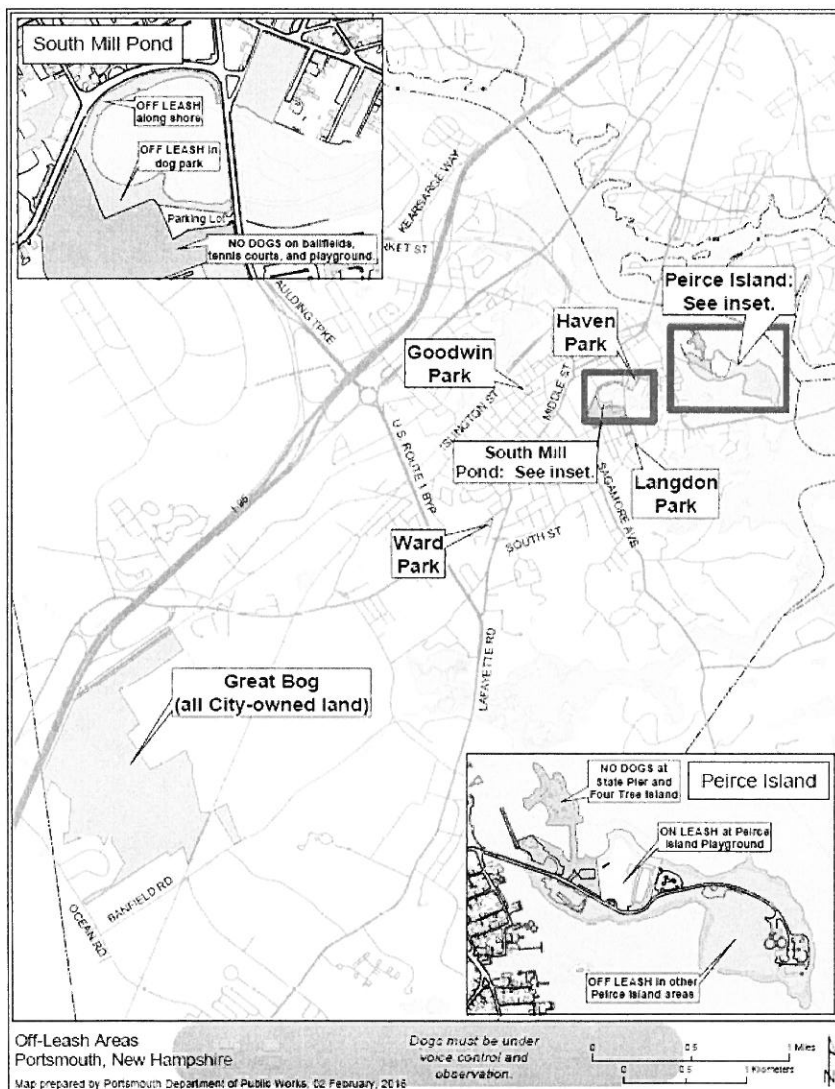
Mike Sullivan, director of Parks and Recreation in York 207-363-1040

8-5 leash law in effect. They Patrol well. Do not have a dog park. Off season leash law in effect except from 6am-8am is allowed off leash. Having trouble with waste on athletic fields. Waste receptacles weren't effective if they were not placed everywhere. There is a public organization "ARF" that was developed to protest not allowing dogs on beaches. There is a Resource Protection Officer/summer Public Relations Officers that was started a few years ago under Chief Doug Bracy. Not uniformed officers, but have red shirts. Explain ordinances and face to face discussions and call police. ACO, Larry McAfee, gave very positive feedback from his perspective and the public. They wrote 30 summons and tickets the first month when ordinance was put in effect. Kept track of names of people given warning. The word got out quickly and they saw immediate results with sidewalks. It was very effective when the word started to spread. Now does not write many now. All fines were publicized with names in the paper, which has helped. Very active issuing summons for dogs failure to control.

Russ Wilson, Director of Parks and Recreation in Portsmouth

Do not mix. 1) No dogs allowed on any playground or ball fields. 2) Off leash areas available all day 3) Dogs have to be on-leash everywhere else. Pocket Parks also can be off leash. List of off leash area on the website.

<http://www.cityofportsmouth.com/maps/OffLeashArea.pdf>



Pierce Island will be closed temporarily (for 5years). Biggest issue was dogs on the ball fields. After dogs were banned from dog parks they have had very few problems. Signs on all ball field no dogs. Dog parks areas have water and waste receptacles and bags and trash receptacle. DPW removed the trash receptacles. Portsmouth DPW has 50-60 ee's ACO , Bonnie Robinson 603-610-7441 is new in last 5 years. She has written ~210 tickets (265*80%) for dogs at large and ~90 tickets (127*70%) for nuisance. She could be a good resource when increasing enforcement.

Chief Kevin Walsh, Rye Police Department

Police Department and ACO pass out brochure (below) at the beginning of the season for the last 3 years. Is past the point of verbal warnings. Has set up a sting operation where ACO logged over 30hours during 2 weeks. No one was catch, but the advertising did the job. See article below. Contemplating increasing fines.



Attention Dog Owners

The following information and suggestions for dog owners has been compiled from applicable Town of Rye Ordinances.

Dogs are not permitted on Town beaches between the hours of 9:00 a.m. and 7:00 p.m. from the Saturday before Memorial Day to the Saturday following Labor Day. The exception to this is the area between Wallis Sands State Park and Odiorne State Park where dogs and people are allowed except when the beach is closed between midnight and 6:00 a.m.

Horses are not permitted on Town beaches at any time from the first day of June to the first day of October.

The owner or custodian of any dog that defecates on Town of Rye beaches or other Town property shall immediately pick-up all the waste, carry it, and take it with him or her upon leaving.

Dogs must be under the control of the owner or custodian at all times. The only exception is for dogs being used for hunting and other supervised events.

Dog owners may receive a court summons if their dog(s):

- Barks for more than ½ hour or at night.
- Digs, scratches, excretes, causes waste or scatters garbage on property other than its owner's.
- Growls, snaps at, runs after or chases anybody.
- Runs after or chases bicycles, motorcycles or any other vehicles.
- Bites, attacks or preys on game animals, domestic animals, fowls or humans.
- Runs at large while not under the control of the owner/ custodian.

You must "carry out" your refuse. **Do not leave bagged refuse in a pile at the beach entrance.** This looks terrible, creates a health hazard and is not fair to the Town employees who will have to clean up the mess.

Please pay attention to these rules and assist us with our efforts to educate other pet owners. Don't hesitate to politely remind others of the rules when appropriate.

Rye police probing pet-poop perpetrator

Friday Posted Jul 29, 2016 at 12:08 PM Updated Jul 29, 2016 at 2:58 PM

By Elizabeth Dinan

edinan@seacoastononline.com

[@DinanElizabeth](https://twitter.com/DinanElizabeth)

RYE — Police are trying to track down a dog owner, or owners, with a habit of dropping plastic bags of dog feces on Marsh Road, possibly contaminating Parsons Creek.

Chief Kevin Walsh said he has a plan in place to try and catch the dog-poop culprit and called it "something different," while declining to reveal details of the sting. He said the littering of pet excrement is an environmental hazard and may jeopardize allowing on beaches, while popular opinion for having dogs on beaches is "50-50."

"You have to pick up after dogs, or you might lose the privilege," he warned.

Walsh said bags of dog waste were left alongside Marsh Road throughout July and as recently as last week. He said the area is between Ocean Boulevard and Parsons Road, across from Wallis Sands State Beach. The chief said he suspects the culprits pick up after their dogs on the public beach, then "don't want to bring it home."

"It's your dog and it's a carry-in, carry-out beach," he said.

Walsh called the littering of animal waste an "inconsiderate act" and said the water in the nearby marsh is now being tested for contamination. He said the state has been trying to find the source of contamination in Parsons Creek "for a while" and the possibility exists that it could be linked to pet waste.

In January, the town held a forum about fecal contamination and pets were cited as possible sources.

Walsh said most people have seen bags of dog waste tied on rear window wipers of cars, or tied to vehicle bumpers, and those often fall off en route.

"We want to find the source and stop the source," he said. "I think all people are environmentally conscious and if you end up doing environmental damage, you can't fix it."

Potential penalties for pet-waste pollution, Walsh said, could include issuing a violation-level summons for littering that carries a \$62 fine. Another possible penalty, he said, would be to charge a perpetrator with a class B misdemeanor charge of unlawful activities, with fines of up to \$1,000.

Anyone with information about the pet poop is urged to call Walsh at (603) 964-7450 or email him at kwalsh@town.rye.nh.us.

Anonymous tips can be made through Seacoast Crime Stoppers at (603) 431-1199, online at www.seacoastcrimestoppers.org, or by SMS text to CRIMES (274637) and including TIPSCS in the message. Rewards of up to \$1,000 are paid for information leading to arrests and convictions.

APPENDIX C

2016 Free passes are provided for:

- Kittery Water District – 7 (3 non res, 4 res) = \$300
- Town employees – 11 (residency unknown)
- USS Annapolis – 23 (all non res) = \$1380
- Kittery Fire Department – 25 (all res) = \$500
- School Department – 204 (125 non res, 79 res) = \$9080
 - There have been conversations between DPW and school department patrons that display an entitlement of special treatment instead of gratitude.

Parks Commission

| | | |
|---------------------------------|----------|--------------|
| <u>Mead, Page, Co-Chair</u> | 05/03/17 | 439-0638 |
| <u>DeMarco, Rich Co-Chair</u> | 05/03/17 | 439-5393 |
| <u>Turner, Gale</u> | 05/03/17 | 439-0550 |
| <u>DeMarco, Kristina</u> | 05/03/16 | 439-5393 |
| <u>Payne, Denise</u> | 05/03/16 | 439-2203 |
| <u>David Wrocklage</u> | 12/31/19 | 475-4521 |
| <u>Vacant</u> | 05/03/15 | |
| <u>Morrison, Michael, Assoc</u> | 03/26/17 | 603-231-1271 |

New Member – Richard Brooks

New Assoc Member – George Dow

Duties & Responsibilities

Sections:

- 2.13.010. Purpose.
- 2.13.020. Duties.
- 2.13.030. Powers.
- 2.13.040. Membership.

2.13.010. Purpose.

The town council may appoint a parks commission to provide ongoing citizen recommendations relating to the improvements or development of town-owned property that is or is likely to be developed into town parks to insure the preservation, beauty and protection of these most valuable sites. (Ord. 7-99 (part))

2.13.020. Duties.

The commission shall:

- A. Recommend to the town council an overall park management plan for the identification, protection, development or use of park lands and facilities;
- B. Meet with the town manager to review and advise, at least twice a year, on the status and progress of the park management plan and other pertinent issues;
- C. Coordinate its activities with those of the park, recreation, school and conservation bodies organized for similar purposes;
- D. Keep records of commission finances and activities, post agendas and minutes of meetings and make an annual report to the municipality;
- E. Assure that any recommended changes affecting municipal park properties are made in conjunction with the conservation commission;
- F. Formulate a commission budget to be presented to the town council for approval. (Ord. 7-99 (part))

2.13.030. Powers.

The commission may:

- A. Make recommendations for use of the parks and park facilities to the town manager and/or the planning board;
- B. Prepare and print books, maps and plans as it deems necessary;
- C. With the approval of the majority of the town council, apply for grants or receive gifts in the municipality's name for any of the commission's purposes and to administer these grants or gifts for those

stated purposes, as specified by the terms of the grant or gift consistent with all appropriate state statutes;

D. Make recommendations to the town council for revisions to the park fee policy and rate schedules. (Ord. 7-99 (part))

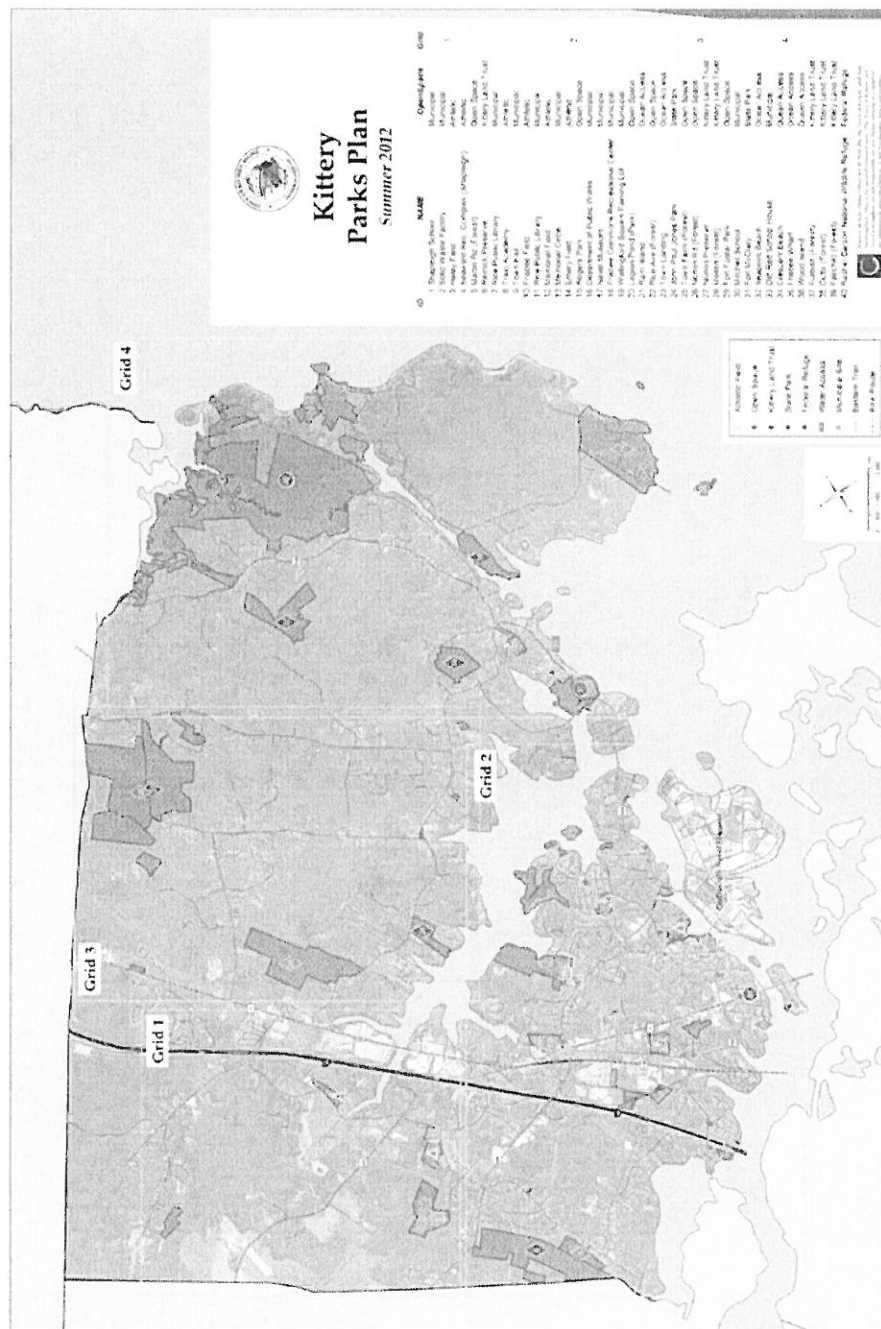
2.13.040. Membership.

A The commission consists of seven members, qualified under Section 2.07(2) of the town charter, who have demonstrated an interest in the town parks and facilities. Members shall initially be appointed for terms of one, two and three years, such that the terms of approximately one third of the members will expire each year. Their successors will be appointed for terms of three years each.

B. The commission may recommend to the municipal officers that associate members be appointed to assist the commission, as the commission requires. Associate members are nonvoting members except when a quorum is absent. Their terms of office shall be for one, two or three years. Associate members shall be selected from the qualified resident voters of the town. (Ord. 7-99 (part))

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APPENDIX F

**FORT FOSTER PARK
POLICIES AND REGULATIONS**

() indicates when policy/regulation went into effect

A. SCHEDULED HOURS OF OPERATION

1. Gate attendants will open the park on weekends in May before Memorial Day and September after Labor Day from 10:00 a.m. to 8:00 p.m. or sunset, whichever is earlier. (9/3/97)
2. The park will be open from 10:00 a.m. to 8:00 p.m., seven days a week from Memorial Day to Labor Day. (9/3/97)
3. There shall be no persons permitted except for authorized personnel within the park from sunset to sunrise. (9/3/97)
4. Pedestrian/foot traffic will be allowed from sunrise to sunset from October 1 to April 30 and weekdays in May before Memorial Day and in September after Labor Day. During these off season times the park is closed to unauthorized vehicular traffic including motorcycles, snowmobiles and all terrain vehicles. (11/25/85), (9/3/97)

B. GENERAL REGULATIONS

1. The vehicular speed limit within the confines of the park is 5 M.P.H. (9/3/97)
2. Littering is prohibited as provided by Chapter 8, Section 8.04.07 of the Kittery Town Code and users of the park must take their trash with them when they leave the park. (5/29/91), (9/3/97)
3. Fires are permitted only in grills or pits designed for cooking uses. (6/9/97), (9/3/97)
4. Consumption of alcoholic beverages is prohibited by State statute. (prior to '81)
5. Vehicles are permitted only on access roads and must park in designated parking areas. (9/3/97)
6. The Kittery Park Division and its employees are not responsible for lost or stolen property. (9/3/97)
7. Lifeguards are not provided and due to strong tidal currents, there is no swimming or diving allowed from the pier.
8. Non-motorized, windsurfers, sea kayaks and canoes are to be launched only from the area referred to as "Windsurfer's Beach." Such watercraft may be brought in on car-tops or trailers. If trailers are used, the trailer must be parked in the Upper Parking Lot after the visitor has dropped off their watercraft at Windsurfer's Beach. Commercial tours involving non-motorized watercraft (e.g., sea kayak tours) are not allowed to launch within Fort Foster. (8/23/04)
9. Dogs must be kept on a leash at all times. Owners will be asked to leave the park if their dog is not under control. (9/3/97)
10. A "pooper scooper" rule is in effect for dogs. Owners must take their dog waste with them when they leave the park. (6/9/97), (9/3/97)
11. Dogs are prohibited from Pier Beach east of the Pier for approximately 400 feet, or as designated by signs. (8/23/04)
12. Removal or destruction of any buildings, facilities, flora, or fauna is not permitted in order to preserve the environmental integrity of the park. (9/3/97)
13. No hunting and no firearms allowed in the park. (prior to '81)
14. Scuba diving is restricted to areas not within the main beach area, i.e. restricted ffrules 1/28/08

1 to areas outside the main beach and signs will be erected on either side of the main beach stating that no scuba
2 diving is allowed between these points. (6/16/83)

3 15. Early entry into the park for the purpose of reserving a table is not permitted
4 (9/3/97)

5 16. Commercial activities, such as selling merchandise and providing guided tours or instructional courses
6 where participants pay a fee for the services, are prohibited from the Park without prior approval of the Town
7 Council. (8/23/04)

8 C. SEASON PERMIT FEES (9/3/97)

9 1. Persons meeting Town residency requirements or property owners, except organizations and corporations,
10 are entitled to a season permit for \$20.00 issued to them and their immediate family which means an
11 individual, husband and/or wife and their blood relations that are residing in the same household. This
12 includes a ward, foster child, or stepchild. (9/3/97), (9/26/05)

13 2. Kittery resident senior citizens (persons 62 years of age or older) may obtain one
14 season permit for their own vehicle at a charge of \$5.00. (5/29/91), (9/3/97) (12/20/99)

15 3. Those persons not qualifying under No. 1 above may obtain at the Kittery Municipal Building or Fort
16 Foster gate a season permit for \$60.00 per year.
17 (9/3/97) (12/20/99), (9/26/05), (1/28/08), (10/16/13)

18 4. A charge of \$5.00 shall be made for a duplicate resident, or resident senior citizen (62 years of age or
19 older), or 100% disabled American veteran vehicle sticker. A charge of \$15.00 shall be made for a duplicate
20 non-resident sticker. Receipt of original permit purchase required. (4/2/84), (10/16/13)

21 5. When an individual or family member goes to the Kittery Municipal Building to purchase a Fort Foster
22 season permit, they must present the registration for the vehicle to which the sticker is to be attached. Pass
23 cards may be issued at .50 each to any member of the immediate family with their full name and sticker
24 number on that card. This pass allows entry only for the individual owner of the card. Vehicles may not enter
25 the park using a pass card. (9/3/97), (9/26/05)

26 6. One and only one day pass may be used for credit towards the purchase of a resident or resident senior
27 citizen (62 years of age or older) season permit. Amounts exceeding the cost of the permit will not be
28 refunded and may not be applied towards the purchase of duplicates. (9/3/97)

29 7. All vehicle season stickers must be affixed no higher than four (4) inches from the bottom line of the
30 driver's side of the windshield. (9/3/97), (9/26/05)

31 8. Vehicles with a capacity of more than 15 passengers can not obtain a season permit and must pay the
32 regular day pass rates. (9/3/97)

33 9. Disabled American Veterans who are 100% disabled may obtain at the Kittery Municipal Building one free
34 season permit for his/her own personal vehicle free of charge upon presentation of a Federally issued 100%
35 Disabled Veteran Identification Card or a Veterans Administration Awards Letter of Entitlement stating 100%
36 disability.

37 D. DAY-USE VISITOR PASS FEES

38 1. Motor Vehicle Day Pass - \$10.00 (includes pass for vehicle and occupants); (12/20/99) ffrules 1/28/08
39

2. Permanently Disabled American Veterans are allowed to receive a free Motor Vehicle Day Pass upon presentation of a Federally issued 100% Disabled Veteran Identification Card or a Veterans Administration Awards Letter of Entitlement stating 100% disability.

3. Bus Day Pass - \$100.00; (4/24/00)

4. Student School Bus Day Pass with adult chaperone(s) - \$50.00. (4/24/00)

5. Day-use visitor walk-ins or bike-ins shall pay \$5.00 per adult and \$1.00 per child under twelve years of age. (12/20/99) (4/24/00)

E. RESERVATION OF PAVILIONS

1. General

a. The maximum number permitted in any group is one hundred (100) people. (6/9/97), (9/3/97)

b. The pavilions are the only areas of the park which may be reserved for group use except for special events made by application and approved by the Town Council. (6/27/05)

c. Reservations are limited to one group for the season.

d. All groups reserving the pavilion area must leave the area in as good condition as it was found or be prohibited from using the facility in the future.

e. All trash must be removed by the group using the pavilion. Waste receptacles will not be provided by the Town. (5/29/91)

f. All groups using the pavilion must leave the area by 7:00 p.m. (5/29/91)

2. Reservation applications are accepted as follows:

(5/29/91), (9/3/97), (9/26/05)

a. Reservation forms are available from the Recreation Director, 200 Rogers Road, Kittery, Maine 03904, phone 207-439-3800, and checks should be made payable to the Town of Kittery. Forms must be completed and payment made prior to finalizing of the reservation date. (9/3/97)

b. January 1 - April 15 Reservations accepted from any Kittery group on a first come, first serve basis.

c. April 16-September 23. Any group or non-profit organizations. (9/3/97)

d. Each group or organization must provide two (2) 2' x 2' signs saying:

TOWER PAVILION

RESERVED TODAY

(NAME OF GROUP)

These signs should be posted by the group at the intersection of the Pier Road and the Pavilion Road and one at the Pavilion.

3. Tower Pavilion Reservation Fees: (5/12/86)

a. The reservation fee assures the group or organization that the pavilion will be reserved for their use. Payment of the pavilion fee does not include the park entrance fee, which will be collected at the gate. (9/3/97)

b. Groups must pay the following fee rates: (6/9/97), (9/3/97)

1. Small pavilion, group 35 or fewer people, \$51.50 (9/26/05) (11/24/14)

2. Tower pavilion, group 50 or fewer people \$102.50 (9/26/05) (11/24/14) ffrules 1/28/08

- 1 3. Tower pavilion, group 51-100 people \$153.75 (9/26/05) (11/24/14)
2 4. Cancellations will be charged a \$50.00 service fee. (6/3/97), (9/26/05)
3 4. Pavilion Use By Kittery Non-Profit Organizations (9/3/97)
4 a. Kittery based civic, social, or non-profit organizations like scouts, fire department, Traip class reunions or
5 church groups will be allowed into the park for one day per season free of charges provided: (9/3/97)
6 (1.) The reservation is made for weekends in May or September and weekdays from Memorial Day through
7 Labor Day; (9/3/97)
8 (2.) The head of the Kittery group or non-profit organization must submit a completed written application in
9 order to reserve the pavilion and have free entrance to the park. The application must give the desired
10 reservation date; alphabetized list of the names and number of people of the group; the individual responsible
11 for the group; and be submitted at least 7 days prior to the anticipated function date, otherwise gate fees will
12 apply. (9/3/97)
13 (3.) The Recreation Director will issue a written response and confirmation to the head of the organization.
14 (9/3/97)
15 (4.) Traip Class Reunions must be celebrating their 10th, 20th, 25th, or 50th anniversary, for other anniversary
16 years regular charges are required. (6/9/97)
17 (5.) Except for item 4.a, above all appropriate fees shall be assessed. (9/3/97)
18 F. SPECIAL EVENTS (6/27/2005)
19 1. The Park may be used for special events such as the annual Isles of Shoals Race, scout camporees, special
20 Town or School uses, or other activities upon approval of the Town Council. Application for special events
21 should be made through the Recreation Department, and the Recreation Director will then forward the request
22 to the Town Manager. The Town Manager should request the recommendations of the Parks Commission,
23 Recreation Department, Public Works Department, and may wish to include input from others, i.e., Police and
24 Fire Departments. The Town Manager's report or recommendation will be submitted to the Town Council for
25 their consideration and determinations. (6/27/05)
26 2. Fees may be charged for special events to cover the costs of Town employees providing services in
27 association with the event (e.g., opening a gate early). The Commissioner of Public Works will estimate the
28 costs associated with the event and forward these to the Town Manager (with a copy to the Parks
29 Commission) for inclusion with the Commission's recommendation concerning the event. The Town
30 Manager will then issue a decision in writing to the applying group. (8/23/04)
31
32 3. All special events must be compatible with the mission of the Park. (8/23/04) ffrules 1/28/08
33

1 DEFINITIONS

2 Town residency requirements: Proof of residency can be satisfied by one or more of the following showing a

3 Kittery address:

4 Maine drivers license

5 State of Maine ID

6 Maine vehicle registration

7 Utility bill

8 Piece of mail

9 Personal check

10 Rent or lease agreement

11 Buyers order for a new home

12 Being a registered voter in Kittery.

13 Season Permit: Includes a sticker, which allows entrance to Fort Foster for the current season, to be affixed to
14 the windshield or your vehicle and includes a walk-in pass for each member of the immediate family
15 identified as an individual, husband and/or wife and their blood relations who are residing in the same
16 household, which includes a ward, foster child, or step-child. (9/3/97)

17 Approved as amended 6/9/97

18 Approved as amended 9/3/97

19 Approved as amended 12/20/99

20 Approved as amended 4/24/00

21 Approved as amended 5/29/02 Approved as amended 8/23/04

22 Approved as amended 6/27/05

23 Approved as amended 9/26/05

24 Approved as amended 1/28/08

25 Approved as amended 4/14/08

26 Approved as amended 10/16/13

27 Approved as amended 11/24/14

29
30 **Title 6 ANIMALS**

31 **Chapter 6.1 DOGS**

32 **6.1.0 Exceptions. Seapoint / Crescent Beaches; Fort Foster.**

33 If in conflict with any section of this chapter, the provisions of Chapter 12.4 (Seapoint/Crescent Beaches)
34 or Chapter 12.5 (Fort Foster) will apply.

35 **6.1.1 Definitions.**

36 For the purpose of this chapter, the following terms have the meaning ascribed to them in this section.

37 **Animal control officer** includes municipal police officer.

38 **At large** means off the premises of the owner unless:

39 A. Controlled by a leash, cord or chain, of not more than eight feet in length;

40 B. Within a vehicle, or under restraint in an open vehicle being driven or parked on a public way; or,

41 C. Under the control of a person whose personal presence and attention would control the conduct of
42 the dog.

44
45 **12.4.8 Animals.**

46 No domestic animal is allowed within Seapoint or Crescent Beaches except that dogs, while under the
47 control of their owner or keeper, are allowed on Crescent and Seapoint Beaches at times other than
48 between the hours of 10:00 a.m. to 5:00 p.m. from June 15th through September 10th of each year. This
49 limitation does not apply to guide or seeing eye dogs when used as such. At no time may the owner or
50 keeper of any dog allow that dog to run at large on Crescent or Seapoint Beaches or enter upon any
51 publicly owned saltmarsh immediately adjacent to Seapoint or Crescent Beach. From May 15th and

September 30th inclusive, only dogs licensed to town residents are allowed on Seapoint and Crescent Beaches.
A pooper scooper rule is in effect for dogs. Owners and keepers must properly dispose of animal waste either by placing it in supplied receptacle(s) or if one is not supplied by taking it with them when leaving the beaches.

Chapter 12.5 FORT FOSTER

12.5.1 Animals.

With the exception of dogs, no domestic animals are allowed in Fort Foster Park, and dogs are subject to the following conditions:

A. Dogs must be leashed at all times during park hours (10:00 a.m. to 8:00 p.m.) on weekends in May and September, and every day from Memorial Day to Labor Day, inclusive. A maximum leash of eight feet is allowed.

B. While under control of the owner or keeper, dogs are also allowed in the park during the following days and times:

1. During weekdays, prior to Memorial Day in May;
2. Before park opening (sunrise to 10:00 a.m.) between Memorial Day and Labor Day;
3. During weekdays, after Labor Day in September; and
4. Between sunrise and sunset from October 1st to April 30th, inclusive.

A "pooper scooper" rule is in effect for dogs. Owners or keepers must take their dogs' solid waste with them when leaving the park.

12.5.3 Enforcement and Penalty.

This chapter is enforced by the police department. Any person who violates any provision of this chapter commits a civil violation for which a penalty of not more than one hundred dollars (\$100.00) may be adjudged. All penalties recovered accrue to the benefit of the town. (

APPENDIX G

Drones – New Town Manager asked the Parks Commission to revisit the town policy for drones. This is forward thinking and the Parks Commission has discussed it.

Parks Commission Recommendation: It is the recommendation of the Parks Commission to do nothing at the current time. The Parks Commission feels Fort Foster is an appropriate place to fly drones and recommends to monitor any increase in complaints of invasion of privacy. The Parks Commission would support increasing on site patrol and encouraging visitors to call the police with concerns.

Background:

- Former Police Chief Short is unaware of any existing policy related to drones.
- Parks Commission received the first and only complaint of a drone in 2015. Complaint was received from a women sunbathing that a drone was flying over her taking pictures.
- There is not an easy way to distinguish which model aircrafts have cameras and which don't.
- Many drones have cameras now a-days. Not so much airplanes, single prop helicopters, kites
- There is not an easy way to know if drones are taking pictures
- Even if a camera is not taking pictures there still could be a live feed
- No local towns have drone policies yet.

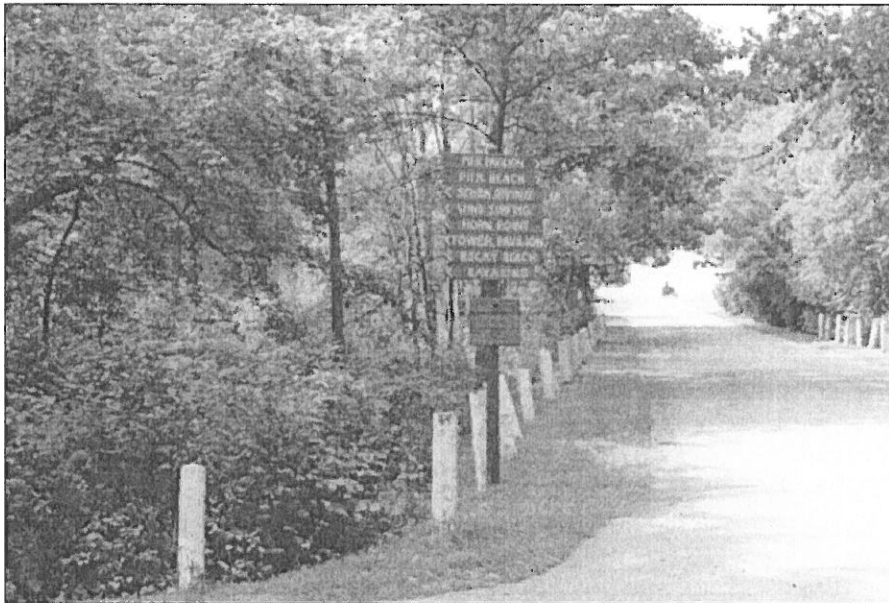
Existing Oversight:

- FAA has safety guidelines for use which include: Don't fly near people or stadiums and Don't be careless or reckless with your unmanned aircraft – you could be fined for endangering people or other aircraft
https://www.faa.gov/uas/model_aircraft/
- FAA Brochure: http://knowbeforeyoufly.org/wp-content/uploads/2015/01/KBYF_Brochure.pdf
- State has a Statute: 5.11 VIOLATION OF PRIVACY 1. A person is guilty of invasion of privacy if...
- *D. Engages in visual surveillance in a public place by means of mechanical or electronic equipment with the intent to observe or photograph, or record, amplify or broadcast an image of any portion of the body of another person present in that place when that portion of the body is in fact concealed from public view under clothing and a reasonable person would expect it to be safe from surveillance.* [1997, c. 467, §1 (NEW).] <http://www.mainelegislature.org/legis/statutes/17-A/title17-Asec511.html>



Town of Kittery
Fort Foster Park
5-Year Management Plan

2015-2020



Kittery Parks Commission
Town of Kittery

Executive Summary

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Executive Summary

Fort Foster Park

Fort Foster is one of the community's most significant waterfront properties. As its name suggests, the facility once served as a military installation offering protection to the mouth of the Piscataqua River, Portsmouth Harbor and the Portsmouth Naval Shipyard. While initial planning for a fort to provide coastal defense at the mouth of the estuary was planned in the 1870's, the fort was constructed starting in 1899, following the Spanish American War. Additional modifications and addition of batteries continued into the Second World War, and remnants of many of the structures remain to this day. The Park consists of approximately 89 acres of mixed terrain with extensive shoreline, varying from gravelly beaches to ledges and rocky promontories. The facility offers parking and public restrooms, as well as a pier, and has 2 pavilions that can be reserved for functions and events. One is for up to 100 people. The facility is open primarily during the summer months and is overseen by the Parks Commission, Community Center Staff, and Public Works Department. The facility is a key recreational amenity for the community.

A Brief History



Pecosan Hotel
In 1885, Samuel Johnson, a freemason, bought 187 acres of land that had been the Second Farm and built a 250 guest hotel at Ft. Foster. The Pecosan became one of four grand hotels in the Seacoast, of which only the Wentworth in New Castle remains. The Pecosan had a lively summer community until it closed in 1934. It was due to the proximity of the new Fort Foster. The hotel was torn down in 1932. The large Pavilion rests on the same foundation of one of the cottages built near the hotel.

Military Past

Fort Foster is one of a chain known as the Endicott Forts, which extended along the coast from New England to Florida. Construction of this post began in the early 1890s and was occupied by a detachment of the 12th Company, Coast Artillery Corps, in 1905. It was named for Major General John G. Foster, a New Hampshire native with distinguished service at Fort Sumter and other Civil War battles.

Although designed for a full complement of officers and enlisted men, Fort Foster was never fully occupied. By the start of World War II, Fort Foster, along with nearby Fort Sunk in New Castle and Fort Carbone in Free, was updated with new bunkers, observation towers and guns. By 1942, machine guns and weapons made this type of coastal defense system obsolete. Within a year all weapons were scrapped and the fort was closed. For several years it was used by the Navy as a recreation area.

From Fort to Park

In the early 1950s the Federal government offered the fort to the Town of Kittery. Some in town wanted to see the property developed for housing, but an active group of conservation-minded citizens worked tirelessly for years to convince residents that Fort Foster would better serve the community and future generations as a park. In 1961 the fort was deeded to the Town for public use. Today Fort Foster is visited by thousands of people every summer who come to enjoy its many amenities and unparalleled views of the Piscataqua River, White's Lighthouse, Wood Island Lighthouse Station, and the Isles of Shoals. Please enjoy Fort Foster but

Take only memories, leave only footprints.

Park Regulations

- Dogs must be leashed at all times and are exempted from the beach out of the park. Please pick up after your dog.
- Carry in - Carry out. Please do not leave any garbage behind.
- No alcoholic beverages within the Park.
- Fires only in grills or pits.
- No swimming or diving from pier.
- No hunting or firearms.
- No motorized watercraft, four-wheelers or dirt bikes.
- Kiosks, canoes and sailboards may be launched only from Fort Foster Beach.
- Big and Small Pavilions may be reserved for private parties. Big Pavilion - 100 People, Small Pavilion - 35 people.

Phone Numbers

Fort Foster is managed by the Department of Public Works. Long range planning is directed by the Kittery Parks Commission, and Pavilion use is overseen by the Recreation Department.

Gatehouse - 439-2182
DPW Office - 439-0333
Pavilion Reservations - 439-3800

Welcome to Fort Foster



Kittery Point, Maine

Thank you for visiting one of the jewels of the Seacoast. Fort Foster is a 94-acre park owned by the Town of Kittery, which welcomes everyone to enjoy its beaches, trails, views and historic sites. The Park's amenities include a playground, tennis facilities, pavilions for events, picnic and barbeque areas, and designated areas for windsurfing and kiting.

Season

The Park is open from Memorial Day to Labor Day, and weekends in May and September.

Hours

10:00 am to 8:00 pm or dusk, whichever comes first. The gate is locked upon closing.

Fees

Residents can purchase season passes at the Town Office for \$20.00.

Non residents - \$10.00 per vehicle or to walk in \$5.00 per adult and \$1.00 per child. Non resident season passes are \$50.00 and available at the gate or Town Office.

Comment [DRJ1]: Update with new brochure after digital copy is produced

Figure 1: Fort Foster Brochure



Figure 2: Aerial Image of Fort Foster – Pier in Foreground

Preface

The Kittery Parks Commission is responsible for preparing an overall *Park Management Plan* for the identification, protection, development or use of park lands and facilities (see Town Ordinance No. 4.10.2).

Kittery Parks Commission

The Kittery Parks Commission was created when it was evident Kittery Public Works needed support in policy making decisions for town Parks. The Parks Commission serves in an advisory role to the Town Council and Town Manager for developing town park policies for Fort Foster

Prior to their implementation, The Parks Commission should be consulted on all town park policy making decisions. The Parks Commission makes recommendations to the Town Council and Public Works implements decisions and is in charge of all town personnel involved.

The Parks Commission will have continued communication with Kittery Public Works, Conservation Commission, Police Department, and the Kittery Land Trust when appropriate.

Mission

Fort Foster, Kittery's largest park and recreational area, is rich in both natural and cultural resources that are important to the citizens of Kittery. The Park is to be managed in perpetuity in a manner that preserves the natural environment while allowing residents and park visitors the opportunity to enjoy the resources found

in the park.

It is the intent of the Kittery Parks Commission to strive to adhere to this mission statement while implementing this management plan.

5 Year Goals (2015-2020)

Specific goals of this 5-year management plan include:

1. Continue the efficient implementation of this management plan.
2. Continue communication and coordination with the Town Manager, Commissioner of Public Works, and Conservation Commission.
3. Continue to evaluate Park user fees and operating costs to determine if the existing fee structure is adequate to ensure that Park operations are revenue neutral or revenue positive.
4. Make contact with the State Historic Preservation Officer concerning the fortifications and the potential for pre-historic artifacts. Section VIII,4
5. Successfully fund and complete the capital improvement projects identified in Section VIII.
6. Continue to monitor use of the Park and report on trends in use patterns with regard to the Park's capacity and infrastructure.
7. Create Parks sign design standards that follow consistent use of typography and style based on the design manual and standards of our Town planner
8. Monitor Invasive Species

These may be periodically revised, as needed, by the Parks Commission.

Maps

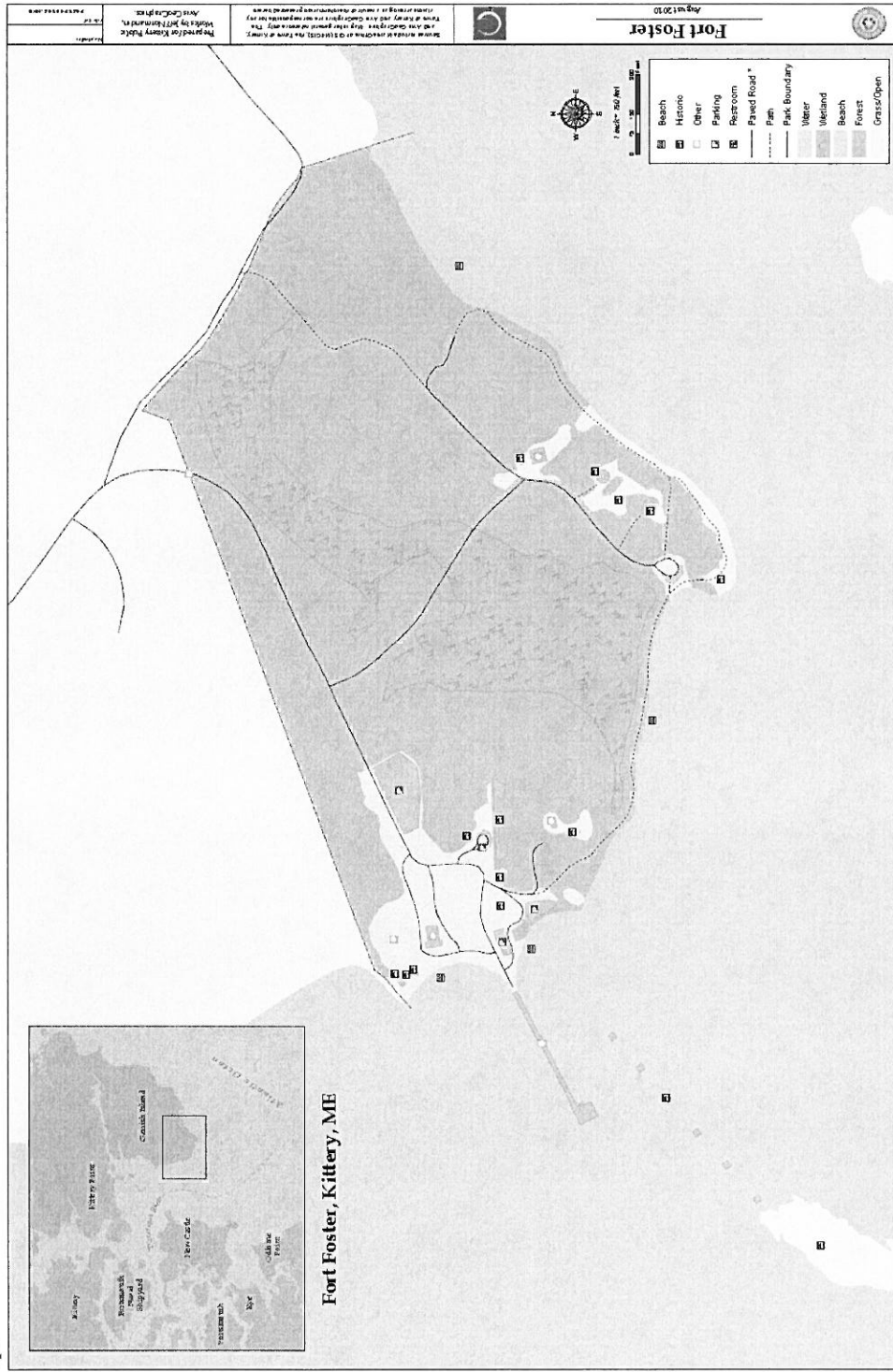


Figure 4: Fort Foster Map

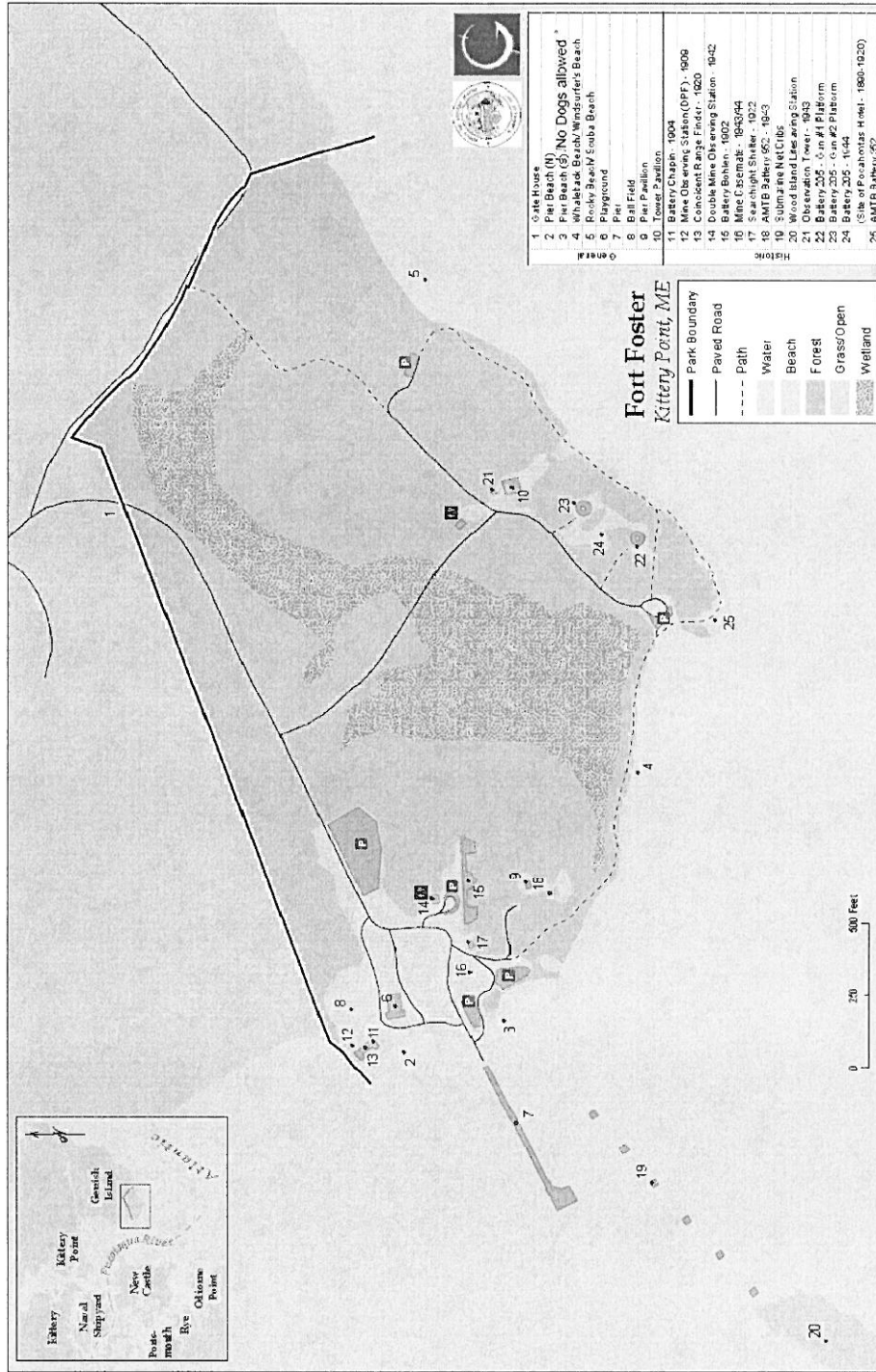


Figure 5: Fort Foster Facilities

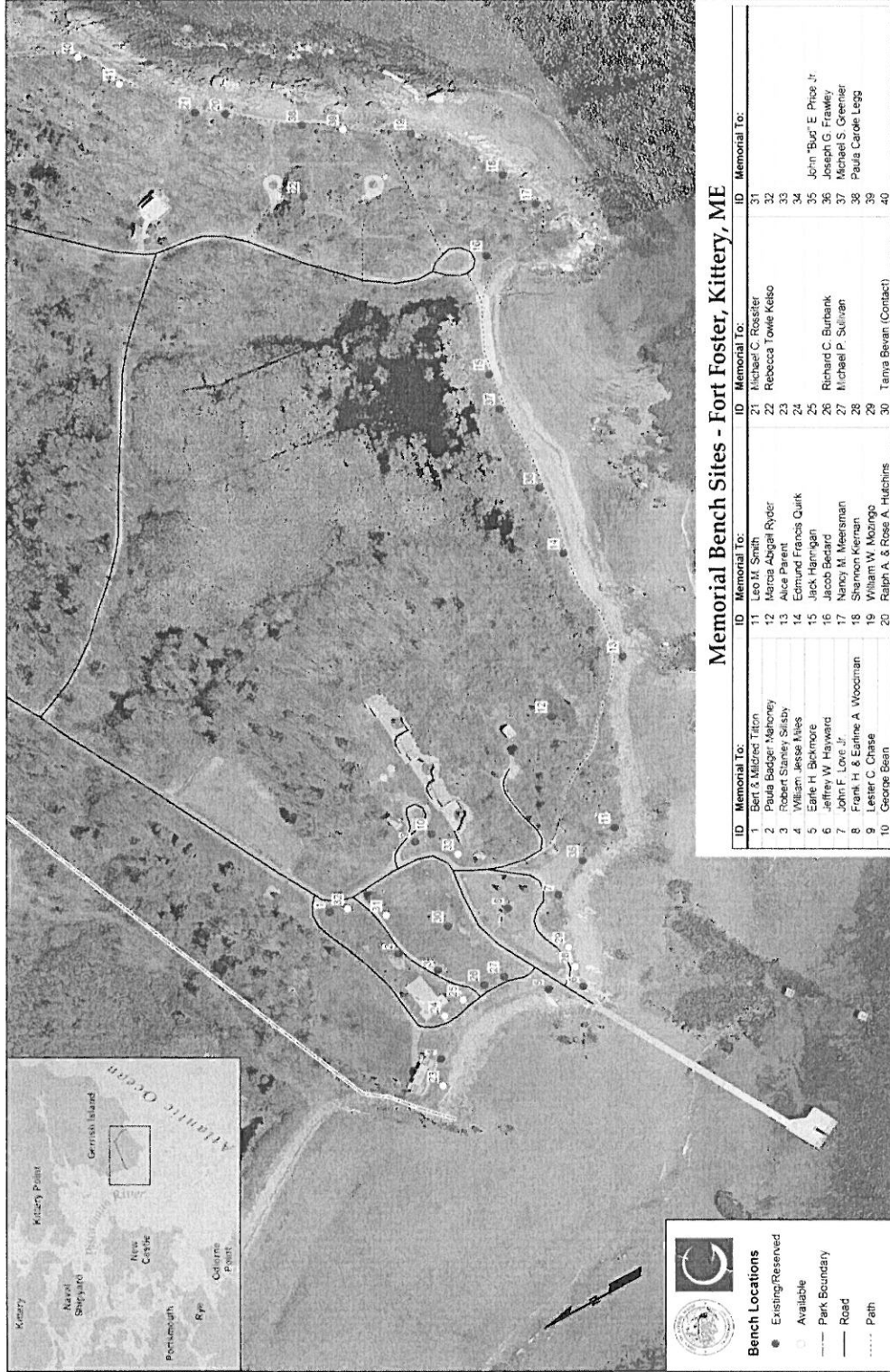


Figure 6: Memorial Bench Sites at Fort Foster

Projects

Projects in progress are:

1. Landscape Playground (began 2014)
2. Hire additional full time employee to help manage rules/policies at FF (began 2013)
3. Historic plaques/signage for informational purposes (began 2011)
4. Develop and share a bike program (began 2012)
5. Improve gate house conditions for employee comfort/safety (began 2014)
6. Proposed general projects are:
7. Develop First Aid station/location consisting of basic first aid items along with items needed to assist an injured person until EMT arrives
8. Signage - Installation of Interpretive signage/ Updated signage for dog issues
9. Improve the structure of the Gate House
10. Develop School Orienteering program
11. Develop integration with Kittery school curriculum (wildlife/invasives/etc.)
12. Develop exercise/outdoor/activities station
13. Improve public access for recreational use, especially kayaks
14. Build a garage to house DPW equipment. The bunkers are moist and diminish shelf life of **vehicles** and supplies.
15. Put electricity at gate house (and at FF as a whole?). Provide ability for safety lights at gate house, security cameras, potential credit card machine, temperature control at gatehouse. Electricity at FF would provide hot water.

Completed projects are:

1. Construction of a new bathroom and changing room, which will meet ADA Accessibility Guidelines (2006)
2. Installation of dog-waste collection bag dispenser (2006)
3. Construction of a water level control structure for the emergent marsh (2004)
4. Raise Tower Pavilion road and replace culvert to prevent road flooding (2007)
5. Erosion control among certain portions of the shoreline
6. Relocate certain memorial benches (2008)
7. Replacement of facilities and the leach field for the Tower Pavilion bathroom (2009)
8. Add handicap ramp (200-250ft) to allow wheelchair access to the beach (2011)
9. Improve drainage by Fort and eliminate path by parking lot (2012)
10. Replacement of Playground's central features (2013)
11. Update record keeping and pass distribution process (2013)
12. Identify/Define/Protect Eastern Cottontail and endangered species. Section III,3 (2013)
13. Install additional speed bumps at park entrance (2014)
14. Repair pier from 2013 nor-easter (2014)

Finances

Fort Foster is meant to be self-sustaining from its own revenue stream. Revenue is directed to maintain operation first and foremost. Excess revenue is to be deposited in the Kittery town general fund. Excess revenue should be considered by the Town Council and Capital Improvement Committee when capital improvement projects are needed. Fort Foster operates as a cost center where any expenses and revenue related to Fort Foster are tracked by Public Works and the Kittery Finance Director. The Parks

Commission has authority to review these numbers at any time upon request.

Capital Improvement Projects

An annual amount of \$ should be included in the Capital Improvement Projects Budget

Additional Comments

A second priority has been set to hire an additional full time employee at Fort Foster. This will allow for patrolling of the park to educate patrons and enforce the park rules. While the authority to write tickets is ideal, the ability to call local law enforcement when needed is required. Park fees were increased in 2014 with the intent of budgeting the cost of this individual in 2015 Public Works Budget.

1. Introduction

This plan is intended to define how Fort Foster Park will be managed for the next five years. Included in this document is a description of Park administration procedures, an overview of the natural resources of the Park, and an evaluation of the Park's infrastructure. This plan is intended to serve as a "living document" for the Kittery Parks Commission, so it also includes sections on 5-year management goals, annual budgets, meeting minutes, and recommended capital improvement projects. At the end of five years, the Commission envisions revisiting the plan to determine if amendments are warranted and to establish new five-year goals.

1.1. Mission Statement

A mission statement is important for setting the direction for the management plan and related Park management activities. The following mission statement was drafted based on input from the public received from user surveys and a public meeting held in 2003.

Fort Foster, Kittery's largest park and recreational area, is rich in both natural and cultural resources that are important to the citizens of Kittery. The Park is to be managed in perpetuity in a manner that preserves the natural environment while allowing residents and park visitors the opportunity to enjoy the resources found in the park.

It is the intent of the Kittery Parks Commission to strive to adhere to this mission statement while implementing this management plan.

1.2. Plan Preparation

The Kittery Parks Commission (KPC or Commission) was tasked by the Town Council with developing management plans for Fort Foster. The management plan for Fort Foster was prepared with the assistance of Woodlot Alternatives, Inc., an environmental consulting company based in Topsham, Maine. A list of the current members of the Commission who worked on preparing this plan is provided in Appendix A.

Preparing the plan involved interviewing members of the Commission, Town employees, and the Town Manager. A public meeting was also conducted to receive input from citizens concerning management of the Park. In addition, a user survey was conducted during the summer of 2003.

1.3. Goals and Objectives

Following are the goals and objectives for managing the Park:

- Management activities or recreational uses should not diminish the natural or cultural resources of the Park.
- Wherever practicable, natural and cultural resources within the Park will be managed to benefit all Park visitors. If conflicting, natural resources have priority.
- To the degree that it is practicable, management of the Park will either be revenue positive or revenue neutral, with the primary source of revenues being user fees.
- Use of the Park will be affordable for all residents of the Town of Kittery.
- Wherever practicable or required by law, the Park will be made accessible to elderly and

handicapped visitors.

- Permitted uses must be compatible with the desire to preserve the natural environment of the Park.
- Capital improvements to the Park will be designed to be consistent with the coastal setting of the Park and/or they will complement the character of the remaining fortifications.
- Long-term management planning intends to ensure that Fort Foster is forever maintained under public ownership as a natural and recreational resource for the citizens of Kittery and surrounding towns.
- Maintain beach access for public use
- Support clean beaches through partnership and guidance from Maine Healthy Beaches program for clean water testing
- Maintain and enhance the current facilities and services to meet the needs of residents and visitors alike.

2. Park Administration

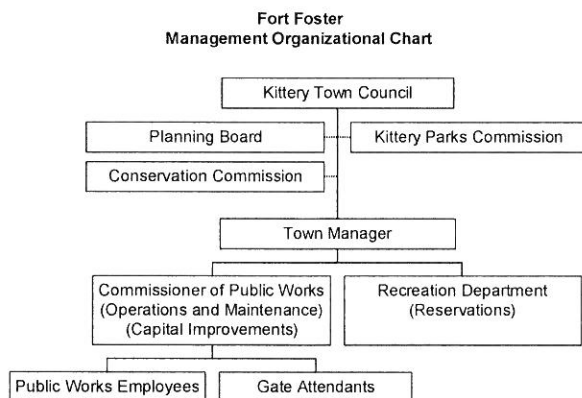
This section of the plan presents how the Park is administered and describes the interaction between the various Town departments and commissions. Although the Parks Commission prepared this plan, it must be implemented collaboratively by these entities within the Town's government.

2.1. Management Structure

Management of Fort Foster falls under the normal duties of the Town Manager, who in turn reports to the Town Council. As shown in the organizational chart below (solid lines), the Town Manager directly supervises the activities of the Commissioner of Public Works and the Community Center Staff with regards to their work at Fort Foster.

The Parks Commission serves in an advisory role to the Town Council and Town Manager for reviewing annual budgets, identifying capital improvement needs, developing Park rules, ensuring that capital improvements fit harmoniously into the landscape, and implementing and updating the management plan (see Town Ordinance 4.10).

The Conservation Commission also serves in an advisory capacity regarding management of the natural resources found within Fort Foster. The Commission may directly advise the Town Council or the Town Manager, or they may work collaboratively with the Parks Commission.



Reservations for the pavilions are accepted by the Town's Community Center Staff while the Public Works Department is responsible for hiring seasonal gate attendants, day-to-day operations, and maintenance. The Commissioner of Public Works also works with the Town Manager, using input from the Parks Commission to develop annual budgets and to propose capital improvement projects. The Parks Commission may consult with the Conservation Commission regarding proposed changes affecting Fort Foster.

2.2. Annual Budgeting

The Commissioner of Public Works is responsible for preparing a draft annual operating budget for submission to the Town Manager. The Parks Commission will review the budget for suggested changes and forward these to the Town Manager and the Town Council before submission to the Town Council for final approval. The draft budget should include:

- An itemized report on the previous year's income and expenses.
- A Proposed fee structure for the coming year.
- An estimate of expected income for the year.
- Estimated operations and maintenance costs.
- Estimated capital improvement costs.
- Requests for additional funds, if necessary, for capital improvement costs.

2.3. Operations and Maintenance

Annual Budget costs should include:

- Labor and benefits costs for Public Works employees for the portion of their work that involves the Park.
- Equipment costs (e.g., trucks, mowers) for Public Works employees for the portion of time that it is used at the Park.
- Labor costs for seasonal gate attendants.
- Materials for lawn and landscape care.
- Servicing on-site septic systems.
- Repair and replacement of picnic tables and benches.
- Repair and maintenance of coffer dam
- Materials for road maintenance.
- Materials for building repair and maintenance.
- Materials for repairing and maintaining the pier (i.e. decking/structure)

The Commissioner of Public Works provides an itemized accounting of O&M costs for the previous year and an estimate for the coming year for use in the annual budgeting process. The Commissioner of Public Works also provides the itemized accounting of income for the previous year along with an estimate of projected income for the coming year.

When reporting income, gate receipts should be itemized by:

Resident day use
Non-resident day use

- Resident season pass
- Resident duplicate season pass
- Non-resident season pass
- Non-resident duplicate season pass
- Pavilion rental
- Special event fees

The Parks Commission, with the approval of the Town Council, is responsible for soliciting and reporting other sources of incomes, such as outside grants (see Town Ordinance 4.10.3).

2.4. Capital Improvement Projects

Capital improvement projects may be funded by gate receipts, general town funds, or outside grants.

The Parks Commission is responsible for identifying capital improvement needs within each 5-year management plan, and the Town Manager is to be advised.

More detailed information concerning recommended capital improvement projects is included in Section 7 of this plan.

2.5. Fee Structure

The current fee schedule can be viewed in the Fort Foster Rules and Regulations (Appendix B)

2.6. Park Policies and Regulations

Park policies and regulations are posted on the Town's web site and they are available at the Municipal Office Building and the gatehouse during the Park's normal operating season. Current Park policies and regulations are found in Appendix B.

Comment [K2]: Make sure this is true

The Parks Commission is responsible for recommending revisions to Park policies and regulations on an annual basis, prior to the Park's opening, or as needed in response to specific conditions. Recommendations are to the Town Council after discussion with the Town Manager.

2.7. Policies Concerning Privately Funded Improvements

Privately funded improvements, including memorial benches, a Bird and Wildlife viewing ramp at the Horn Point rotary, and memorial trees will be considered by the Town Council upon application to the Parks Commission. The Commission will confer with the Town Manager and then make a recommendation to the Town Council regarding whether to accept the proposed improvement.

Privately funded improvements are subject to the following guidelines:

- a) Improvements must be funded in total by the applying party.
- b) Installation of the improvement will be conducted by the Public Works Department or by a contractor retained by the applying party supervised by Public Works. In the event that a private contractor is retained, the applying party must submit a proposed work plan and schedule for review and approval by the Parks Commission and the Commissioner of Public Works.

- c) The applying party is responsible for obtaining any local, state, or federal permits that may be required for the proposed improvements. Draft permit applications must be submitted for review and approval of the Parks Commission prior to their submission to the regulating authority.
- d) The applying party is responsible for the annual maintenance of the improvement unless the Town Council specifically indicates that the Town will accept the responsibility of maintaining the improvement. Failure to maintain the improvement may result in its removal by the Town.
- e) Memorial benches and other structures must be of a design that is acceptable to the Parks Commission.
- f) Memorial benches will be placed no closer than eight (8) feet to the top-of-slope of the shoreline, or as directed by the chairpersons of the Parks Commission.
- g) All plantings must be comprised of species of plants native to Maine.

2.8. Reservations

Reservations are accepted, by the Town's Community Center Staff for use of the Tower Pavilion and Pier Pavilion for special events such as family picnics and wedding receptions. Proposed uses must be compatible with existing Park policies and regulations (see Appendix B).

2.9. Reservation Procedures

The Community Center Director will first handle questions regarding the compatibility of proposed uses with Park policies and regulations. In the event that policies and regulations are not clear, the Parks Commission will consider the request and make a recommendation to the Town Manager, who will then make a decision concerning the proposed request. If appropriate, the Parks Commission will recommend modifications to the Park policies and regulations to address similar circumstances in the future.

2.10. Fee Structure

The fee structure for using the Tower Pavilion and the Pier Pavilion is presented in the Park policies and regulations (see Appendix B). The Parks Commission and the Town Manager will review the fee structure annually to determine if the levied fees provide adequate compensation for the work performed by Town employees in conjunction with the events.

2.11. Special Events

The Park may also be used for special events such as the annual Isles of Shoals Race, scout camporees, special Town or School uses, or other activities upon approval of the Town Council. Application for special events should be made through the Community Center Staff and Community Center Director will then forward the request to the Town Manager. The Town Manager should request the recommendations of the Parks Commission, Community Center Staff, Public Works Department, and may wish to include input from others, i.e. Police and Fire Departments. The Town Manager's report or recommendation will be submitted to the Town Council for their consideration and determinations. (amended 6/27/05)

Fees may be charged for special events to cover the costs of Town employees providing services in association with the event (e.g., opening a gate early). The Commissioner of Public Works will

estimate the costs associated with the event and forward these to the Town Manager (with a copy to the Parks Commission) for inclusion with the Commission's recommendation concerning the event. The Town Manager will then issue a decision in writing to the applying group.

All special events must be compatible with the mission of the Park.

2.12. Management Plan Implementation and Revision

The Parks Commission is responsible for advising the Town Council and Town Manager about the current management plan and for periodically revising it, as necessary. The plan will be revised, at a minimum, every five years. Revised plans will be developed in association with the Town Manager. A draft of the plan will be reviewed by the Town Manager, prior to the Parks Commission submitting it to the Town Council for review and approval.

2.13. Monitoring and Reporting

The Commissioner of Public Works is responsible for management of the Park personnel and providing periodic reports to the Town Manager. The Commission will meet with the Town Manager at least twice a year to monitor and discuss the 5-Year Management Plan and park rules and regulations.

The Parks Commission will also hold periodic meetings with the Town Manager to discuss Park management.

2.14. Annual Administrative Calendar

The annual administrative calendar for implementing the management plan is:

| | |
|---------------------------|---|
| January 1 – April 15 | Reservation requests accepted from Kittery groups for Tower Pavilion and Pier Pavilion on a first-come, first-serve basis |
| April 16 – September 23 | Reservation requests accepted from any group for the Tower Pavilion and Pier Pavilion on a first-come, first serve basis |
| Last Monday of April | Parks Commission and Town Manager walk through Park to determine maintenance and clean up needs. |
| May | Parks Commission give progress report to Town Council |
| Memorial Day to Labor Day | Park open on weekdays and weekends from 10:00 am to 8 pm or sunset, whichever is earlier |
| September after Labor Day | Park open on weekends from 10:00am to 8pm or sunset, whichever is earlier. |
| Last Monday of September | Parks Commissioners walk through Park to determine maintenance and capital improvement needs |
| November | Parks Commission give progress report to Town Council |
| December 31st | Parks Commission communicates cost estimates for proposed capital improvement projects for submission to Town Manager. |

3. Natural Resources of the Park

Fort Foster was once cleared of vegetation as the land was used for a variety of purposes, including use of the area as a fort. The resulting forest, therefore, is a mix of pine, oak, and other species that re-colonized the site after it was abandoned from its other uses. These forests provide valuable wildlife habitat, but they do not have high value for forest products due to their unmanaged condition. At this time it is the Town's policy to not manage the forests found in Fort Foster Park for commercial purposes.

The Park also encompasses a wide variety of other natural resources, including marine habitats, freshwater wetlands, wildlife habitat, habitat for rare plants, and areas used for outdoor recreation.

Over the years invasive plant species have spread dramatically throughout the park and have greatly threatened its biodiversity. These invading plants out-compete our native species by hogging sunlight, nutrients, and space. They change animal habitat by eliminating native foods, altering cover, and destroying nesting opportunities. Invasive plants are a direct threat to what is of great value at Fort Foster and their aggressive growth threatens our recreational experiences. Many species can form thorny, impenetrable thickets in forests impacting access. Others can choke water-ways limiting their health, beauty and use. Invaders can also greatly affect forest regeneration. These species have already begun to mar the natural beauty of our regionally distinctive landscape with the loss of many of the native juniper bushes along the shoreline (most of which have been killed by bittersweet vines).

Comment [K3]: Exception needed to treat identified invasive species within the shore land zone

3.1. Marine Resources

Fort Foster includes several thousand feet of ocean shoreline that encompass habitats that range from shallow sandy beaches to steep, rocky zones. A cobble beach is also found at the area known as "Scuba Diving Beach." These shoreline habitats, in association with near-shore waters and the nearby islands and ledges, provide valuable habitats for fish, shellfish, marine mammals, and seabirds

At the present time there is a management concern about conservation of the marine resources in, and adjacent to, the Park (i.e. illegal collection of crustaceans by Park visitors).

Of minor concern are areas of bank erosion associated with walking trails and memorial benches that are near the top of the slope leading to the ocean. These areas should be monitored annually and ultimately repaired (see Section VIII, Capital Improvement Projects).

3.2. Wetlands

Fort Foster also encompasses a large freshwater wetland complex that runs generally north to south through the Park. The marsh at the southerly end of the Park is particularly valuable to nesting birds, but the entire wetland complex is valuable to a wide variety of wildlife species. Existing forested buffers should be retained adjacent to these mapped wetlands.

Vernal pools are important areas for breeding amphibians such as frogs and salamanders, and freshwater shrimp. Two vernal pools occur near the entrance gate to the Park, and others may exist in forested areas. Any vernal pool within the Park is to be left in an undisturbed state. Within 250 feet of the vernal pool, no trees should be cut and no pesticides should be applied.

The water level in the marsh is controlled by a culvert that passes under a berm adjacent to the ocean at the south end of the Park

For wildlife management purposes, water levels should be monitored/controlled by the cofferdam that would allow water levels to be manipulated and the marsh to be periodically drained. Continued modifications of the cofferdam are needed regularly.

3.3. Wildlife

Wildlife within the Park (i.e., excluding marine wildlife) includes a range of upland and wetland species such as white-tailed deer, fox, mink, raccoon, skunk, songbirds, owls, woodpeckers, hawks, turtles, frogs, and salamanders. Citizens also noted that large numbers of monarch butterflies stop over in the Park during migration.

An inventory of the species inhabiting the Park, however, has not been completed and wildlife populations are not monitored. The management goal for the Park's wildlife is to maintain the existing habitats and to cooperate with natural resource management agencies whenever possible. The Maine Natural Areas Program (MNAP), for example, has defined the Greater Brave Boat Harbor/Gerrish Island area as a conservation focus area (see Appendix E). This area is immediately adjacent to Fort Foster, and a goal of this management plan is to approach the MNAP to determine if 1) they have the resources to conduct an ecological inventory of Fort Foster, and 2) to determine if management of the Park is compatible with goals established for the Greater Brave Boat Harbor/Gerrish Island Focus Area. The Parks Commission will initiate this contact.

3.4. Rare, Threatened, and Endangered Plants and Animals

Several species of rare, threatened, or endangered species are known to occur or potentially occur in the Greater Brave Boat Harbor/Gerrish Island Focus Area. Recent surveys, however, have not been conducted in Fort Foster.

As part of this management plan, a botanist conducted an inventory of the parts of the Park that are typically used by visitors to determine if any rare plants were present and to evaluate if there were any management concerns. Two rare plants—White Wood Aster (*Aster divaricatus*) and Sea-beach Sedge (*Carex silicea*)—and New England Cottontail Rabbit (*Sylvilagus transitionalis*) were found during this survey. White Wood Aster is a state-listed threatened species found in dry woods and clearings. Within Fort Foster it is found adjacent to the Park entrance road and along a woods road near the Scuba Diving Beach Development should be avoided in these areas, but current mowing practices can continue. The New England Cottontail is a state listed endangered species. Before the brush in these areas is disturbed, Maine's New England cottontail restoration coordinator, should be contacted, currently Kelly Boland with Fish Wildlife Services.

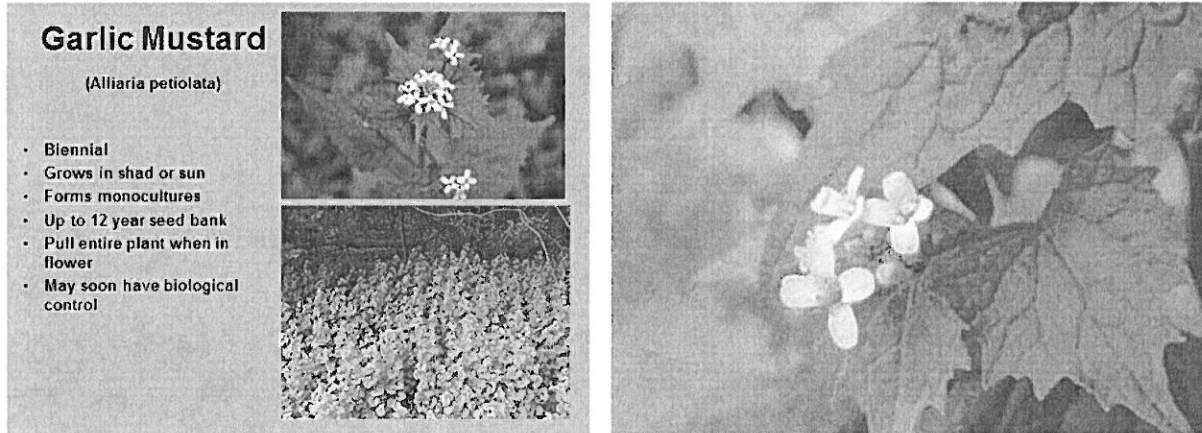
Sea-beach Sedge is a small plant with Special Concern status at the State level that grows on sandy beaches and rocky shores. It is found in several places within Fort Foster. At the present time, there are no known management concerns associated with this species.

3.5. Invasive Plant Species

Comment [K4]: Review with Mike Morrison and make sure solutions are included

While the northern-most section of the park (closest to the entrance gate) remains the most healthy, the majority of the park has an ever-increasing number of invasive species including:

Garlic Mustard (Alliaria petiolata),

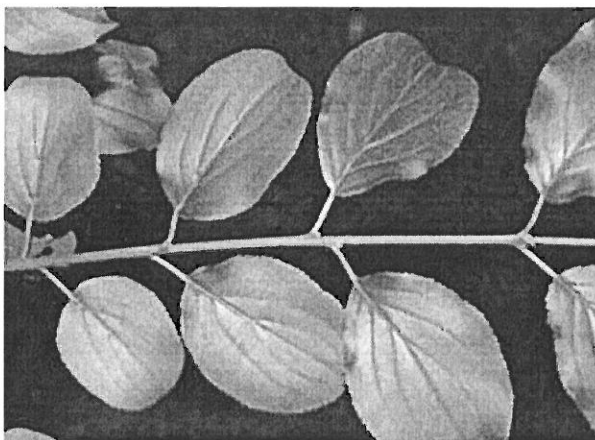
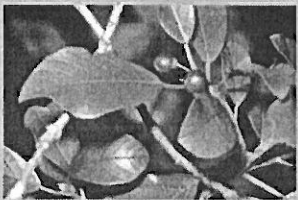


Common and Glossy Buckthorn (Rhamnus cathartica and Frangula alnus),

Buckthorn

Frangula alnus

- Dense stands shade out under story and prevent native seedlings from growing
- Causes diarrhea in birds that jeopardize migration
- Large root systems make eradication difficult



Asiatic/Oriental bittersweet (Celastrus orbiculata),

Asian Bittersweet

(Celastrus orbiculatus)

- Woody stem vine
- Climbing on and covering trees and shrubs
- Can grow up to 60 ft.
- Seed spread by birds

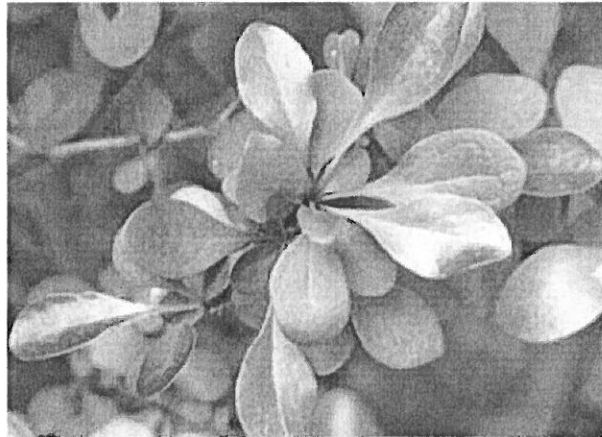
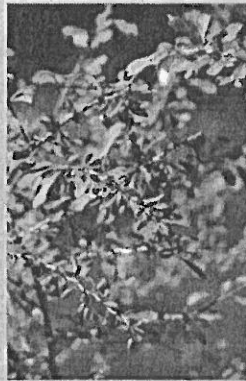


Japanese Barberry (Berberis thunbergii)

Barberry

Berberis thunbergii, *B. vulgaris*

- Invades woodlands
- Deer avoid thorns and over browse native plants
- Toxic bark
- More attractive to pollinators
- Still available in nurseries

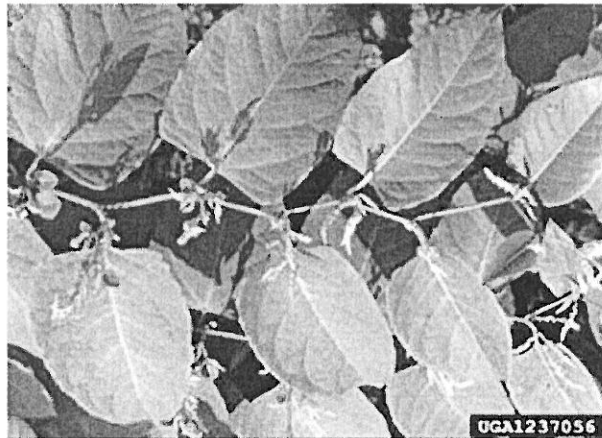


Japanese Bamboo/Knotweed (Fallopia japonica)

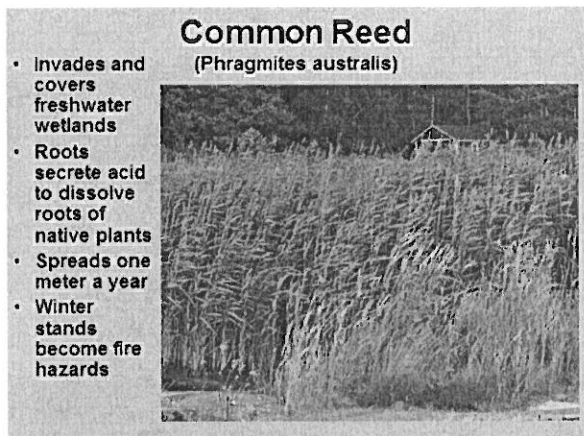
Japanese Knotweed

(*Polygonum cuspidatum*)

- Spreads by plant fragments or seeds
- Forms dense thickets
- More root mass than stem and leaf mass
- Spreads rapidly
- Hard to control



Phragmites/Common Reed (Phragmites australis)



Japanese Honeysuckle (Lonicera japonica),



and Blackswallow-wort (Vincetoxicum nigrum)

Pictures and information taken from Maine Association of Conservation Commissions website and US Department of Agriculture website

Comment [DRJ5]: Add picture

In the spring of 2006 the largest stand of Asiatic bittersweet in the park was mechanically removed thanks to a donation by Mike Morrison of Swamp Fixer, Inc. Within one short season, the bunker where the vines were extracted and the surrounding areas, showed signs of great improvement with the growth of a multitude of native and non-native (but non invasive) species covering those areas. And while some of the removed invasives continue to resprout, it is now possible to maintain their aggressive regeneration by hand cutting and manually pulling. Furthermore, an enormous seed bank was removed which will help slow the spread of this

aggressive invader.

The Town Manager, Parks Commission, and Commissioner of Public Works are in communication with Invasive Plant Coordinator at the Rachel Carson National Wildlife Refuge to map the location of invasive species within the Fort boundaries. A maintenance plan needs to be established by the Town Manager, Parks Commission, and Commissioner of Public Works. The plan will submitted to the Town Council for approval and primarily executed by the Commissioner of Public Works. The Maine State Wildlife... will be consulted when state invasive species are being treated. Help establishing a maintenance and volunteer program will start with Invasive Plant Coordinator at the Rachel Carson National Wildlife Refuge, the York County Soil & Water Conservation District, and the the USDA website: <http://www.invasivespeciesinfo.gov/toolkit/detspot.shtml>

Comment [DRJ6]: Include ass appendix

Comment [DRJ7]: Include as appendix

Comment [DRJ8]: Any maintenance needs to be run by the Maine guy

Comment [DRJ9]: Full name

3.6. Outdoor Recreation

The Park is situated in an area that provides outstanding opportunities for outdoor recreation, including fishing, sea-kayaking, bird watching, swimming, SCUBA diving and snorkeling. Current Park policy is to separate potentially incompatible uses by directing activities to specific areas of the Park. The Parks Commission will periodically monitor these activities to ensure that this policy is still appropriate. *The currently designated Scuba Beach is included as a day only destination location in the Maine Island Trail Association www.mita.org*

4. Infrastructure

4.1. Fortifications

The historical significance of the remaining fortifications is discussed in a report by Joel Eastman entitled, *The Modern Defenses of the Coast of Maine*. Maine's State Historic Preservation Officer, Earle G. Shettleworth, Jr., also recently determined that the fortifications are potentially eligible for inclusion on the National Register of Historic Places. Mr. Shettleworth also notes that Fort Foster is likely to contain pre-historic artifacts.

The Town is not required to conduct studies of the fortifications or to search for pre-historic artifacts unless federal agencies, funds, or licenses are involved in the project. Such studies may also be required if a Maine Site Location of Development permit is ever required for improvements to the Park.

To learn more about the potential significance of the fortifications, as well as to gain a better understanding of the potential for pre-historic artifacts, members of the Parks Commission may arrange to meet with Mr. Shettleworth.

4.2 Pier

The Fort Foster pier sits on its original foot print and design. The pier is a total of 553ft long and consists of two sections. The "leg" is a walkway that is 483ft x 14ft and the "foot" is 86ft x 70ft. The pier is open to pedestrians and primarily used for sight seeing and recreational fishing. The pier was built at the time of the fort structures. It was used to offload military equipment that would arrive via boat. A focus to keep the pier open to pedestrian use makes management more reasonable. The Commissioner of Public Works includes an annual budget for lumber with an expectation to replace ~5% of the decking and railings each spring. Although unique in its nature, per review of the Town Manager, the pier is not part of a historical registry and there is no interest in having it researched further or included in a historical registry at this time. The majority of the pier has been repaired over the last century, but the cleats, where ships would tie up their dock lines, are part of the original pier. In February of 2013 a nor'easter damaged the pier and it was closed for 2 seasons. During that time the Parks Commission, Commissioner of Public Works, Town Manager, and FEMA representatives discussed the pier at length and notable points are: the pier should remain open to pedestrians, but is not necessary to hold vehicles beyond DPW equipment and the design of the pier should not be changed. The Parks Commission has also voted: if future design changes are proposed they should not include access for recreational/commercial boats. A survey was done by Wright Pierce.

Comment [DRJ10]: Add new appendix

4.2. Roads and Culverts

Roads in the Park are in generally good condition. It is the responsibility of the Commissioner of Public Works to periodically examine the roads and make recommendations during the annual budgeting process for funds for maintenance activities or to identify capital improvement needs.

The road to the Tower Pavilion occasionally floods when water levels in the marsh are high. Given that it is a priority to raise the water level in the marsh (see Section III, Natural Resources, and Section VIII, Capital Improvements), this road, the marsh, and the water control structure for the marsh should be surveyed to determine relevant elevations.

If it appears that the road would flood more frequently if water levels in the marsh were raised, then plans should be developed for raising the Tower Pavilion Road. If this were to occur, the culvert under the road should be designed to provide for a free exchange of water as well as passage for reptiles and amphibians.

4.3. Parking Areas

The large parking lot is in good condition, although some residents have asked that it be made more attractive and user friendly. The Commission, in association with the Commissioner of Public Works, will consider the need for a landscaping plan for this parking lot.

4.4. Bathrooms and Septic Systems

The Parks Commission is committed to replacing or upgrading the primary bathroom near the picnic area and shoreline (see Section VIII, Capital Improvement Projects). The Commission has sought, and received, assistance from the National Park Service for this effort. The condition of this bathroom was a concern expressed by several members of the public in 2003 (see Appendix C and Appendix D).

The Commissioner of Public Works is responsible for overseeing the maintenance of on-site septic systems.

4.5. Pavilions

The pavilions are currently in adequate condition. The Commissioner of Public Works will periodically inspect these structures to ensure that they are safe and serviceable. The Commission will also inspect these facilities during the spring and fall site inspections (see Section 2.12, Annual Administrative Calendar).

4.6. Picnic Tables

Picnic tables will be maintained by the Public Works Department under the direction of the Commissioner of Public Works. (The Parks Commission will work with the Commissioner, through the Town Manager, to periodically monitor table use to ensure that there are an appropriate number of tables.)

After a 2013 refurbishment and redesign the playground is currently in good condition. The Commissioner of Public Works will periodically inspect these structures to ensure that they are safe and serviceable. The Commission will also inspect these facilities during the spring and fall site inspections (see Section 2.14, Annual Administrative Calendar).

4.7. Dogs

Dogs must be kept on a leash at all times. Owners will be asked to leave the park if their dog is not under control. (9/3/97)

A "pooper scooper" rule is in effect for dogs. Owners must take their dog waste with them when they leave the park. (6/9/97), (9/3/97)

Comment [rjd11]: Help is needed with additional verbiage

Dogs are prohibited from Pier Beach east of the Pier for approximately 400 feet, or as designated by signs. (8/23/04)

Various issues concerning dogs in the Park (i.e. dog waste disposal and possible fees) will be addressed in the near future.

Ideas to enhance public knowledge and comply with the rules are:

1. Update Signage
 - a. "Under Control" at all times
 - b. Leash is required during park hours
 - c. Dogs are allowed off leash when park is closed
 - d. Baby beach – no dogs
 - e. Pick up dog waste at all times
 - f. Dog waste in winter months and when the Park is closed
2. Delegating a manager/ enforcer of Park rules, specifically related to, but not limited to dogs.
3. Additional patrol and rule enforcement around the grounds. The Parks Commission will explore instituting a dog pass with proceeds dedicated to additional enforcement costs

5. Finances

Furnished upon request from the Finance Director

6. Meeting Minutes

To be posted on town website

7. Capital Improvements

The Capital Improvement Project Committee allocates funds annually under the following three categories. Capital Improvement Projects as defined by buildings, equipment, or projects having a cost of over \$25,000 and a useful life of over 5 years. Capital Holdings, as defined by use for replacement of assets having a cost greater than \$25,000 and a useful life over 5 years; Capital Reserves, as defined as intentions for future demand for maintenance, repair, rehab of fixed assets that cost between \$5-25,000 and have a useful life of less than 5 years.

The following Capital improvement projects are proposed in the current 5-year management plan.

Proposed capital improvement projects (in order by priority) are:

1. *Future repair/replacement of pier*

For each project, the Parks Commission will work with the Town Manager and the Commissioner of Public Works to determine:

- The scope of the problem that is being addressed by the capital improvement project
- Additional data needs (e.g., a topographic survey)
- A cost estimate for design and construction
- Potential sources of funds
- An implementation schedule
- Commission members who will take the lead on developing the capital improvement project

Information concerning currently proposed capital improvement projects is found in the following pages.

7.1.1. Future Replacement of Pier

Problem Statement

The pier is an important public structure and unique to Fort Foster and the area. Future extensive repair will be needed to keep the existing structure in existence and open to pedestrian use.

Additional Data Needs

- Cost of structure

Cost Estimate for Design and Construction

- To Be Determined
- *Potential Sources of Funds Capital Improvement Funds*

Implementation Schedule

Commission Members Involved

- Page Mead Co-Chair
- Rich DeMarco Co-Chair

Appendix A

Kittery Parks Commission Members

DeMarco, Kristina
10 Tudor Dr
Kittery, ME 03904
Tel. 439-5393

DeMarco Jr., Richard (Co-Chair)
10 Tudor Dr
Kittery, ME 03904
Tel. 439-5393

Hepner, Maury
67 Chauncey Creek Rd
Kittery Point, ME 03905
Tel. 439-3911

Hibschman, Tom
188 Brave Boat Harbor Rd.
Kittery Point, ME 03905
Tel. 439-6721

Payne, Denise
Pocahontas Rd
Kittery Point, ME 03905

Comment [K12]: Phone and address needed

Turner, Gale
5 Devon Woods Dr
Kittery, ME 03904
Tel. 439-0550

Mead, Page (Co-Chair)
P.O. Box 157
24 Gerrish Island Lane
Kittery Point, Maine 03905
Tel. 439-0638

Morrison, Michael (non-voting member)
21 Oak Ter
Kittery, ME 03904
Tel. 603-231-1271

Appendix B – Fort Foster Park Policies and Regulations

() Indicates when policy/regulation went into effect.

A. SCHEDULED HOURS OF OPERATION

1. Gate attendants will open the park on weekends in May before Memorial Day and September after Labor Day from 10:00 am to 8:00 pm or sunset, whichever is earlier. (9/3/97)
2. The park will be open from 10:00 am to 8:00 pm, seven days a week from Memorial Day to Labor Day. (9/3/97)
3. There shall be no persons permitted except for authorized personnel within the park from sunset to sunrise. (9/3/97)
4. Pedestrian/foot traffic will be allowed from sunrise to sunset from October 1 to April 30 and weekdays in May before Memorial Day and in September after Labor Day. During these off season times the park is closed to unauthorized vehicular traffic including motorcycles, snowmobiles and all terrain vehicles. (11/25/85), (9/3/97)

Comment [K13]: Shore and harbor plan articulates public opinion to extend access during periods in the spring and fall. Ask Wright Pierce what is meant by this (weekdays in May/Sept or stay open in April/Oct)

B. GENERAL REGULATIONS

1. The vehicular speed limit within the confines of the park is 5 mph. (9/3/97)
2. Littering is prohibited as provided by Chapter 8, section 8.04.07 of the Kittery Town Code and users of the park must take their trash with them when they leave the park (5/29/91), (9/3/97)
3. Fires are permitted only in grills or pits designed for cooking uses. (6/9/97), (9/3/97)
4. Consumption of alcoholic beverages is prohibited by State statute. (prior to '81)
5. Vehicles are permitted only on access roads and must park in designated parking areas. (9/3/97)
6. The Kittery Park Division and its employees are not responsible for lost or stolen property. (9/3/97)
7. Lifeguards are not provided and due to strong tidal currents, there is no swimming or diving allowed from the pier.
8. Non-motorized, windsurfers, sea kayaks and canoes are to be launched only from the area referred to as "Windsurfer's Beach." Such water craft may be brought in on car-tops or trailers. If trailers are used, the trailer must be parked in the Upper Parking Lot after the visitor has dropped off their watercraft at Windsurfer's Beach. Commercial tours involving non-motorized watercraft (e.g., sea kayak tours) are not allowed to launch within Fort Foster. (amended 8/23/04)
9. Dogs must be kept on a leash at all times. Owners will be asked to leave the park if their dog is not under control. (9/3/97)
10. A "pooper scooper" rule is in effect for dogs. Owners must take their dog waste with them when they leave the park. (6/9/97), (9/3/97)
11. Dogs are prohibited from Pier Beach east of the pier for approximately 400 feet, or as designated by signs. (amended 8/23/04)
12. Removal or destruction of any buildings, facilities, flora, or fauna is not permitted in order to preserve the environmental integrity of the park. (9/3/97)
13. No hunting and no firearms allowed in the park. (prior to '81)
14. Scuba diving is restricted to areas not within the main beach area, i.e. restricted to areas outside the main beach and signs will be erected on either side of the main beach stating that

Comment [K14]: Do the reasons still exist to keep this rule? Opportunity to increase park revenue?

Comment [RJD15]: What is the definition of under control. Should it be included here?

Comment [RJD16]: Are there signs?

no scuba diving is allowed between these points. (6/16/83)

15. Early entry into the park for the purpose of reserving a table is not permitted. (9/3/97)
16. Commercial activities, such as selling merchandise and providing guided tours or instructional courses where participants pay a fee for the services, are prohibited from the Park without prior approval of the Town Council. (amended 8/23/04)

Comment [K17]: Should this be eliminated as an option to increase park revenue

C. SEASON PERMIT FEES (9/3/97)

1. Persons meeting Town residency requirements or property owners, except organizations and corporations, are entitled to a season permit for \$20.00 issued to them and their immediate family which means an individual, husband and/or wife and their blood relations that are residing in the same household. This includes a ward, foster child, or stepchild. (9/3/97) (amended 9/26/05)
2. Kittery resident senior citizens (persons 62 years of age or older) may obtain one season permit for their own vehicle at a charge of \$5.00. (5/29/91), (9/3/97), (12/20/99)
3. Those persons not qualifying under No. 1 above may obtain at the Kittery Municipal Building or Fort Foster gate a season permit for \$50.00 per year. (9/3/97), (12/20/99) (amended 9/26/05), (amended 1/28/08)
4. A charge of \$5.00 shall be made for a duplicate resident or resident senior citizen (62 years of age or older) vehicle sticker. (4/2/84) Receipt of original permit purchase required.
5. When an individual or family member goes to the Kittery Municipal Building to purchase a Fort Foster season permit, they must present the registration for the vehicle to which the sticker is to be attached. Pass cards may be issued at .50 each to any member of the immediate family with their full name and sticker number on that card. This pass allows entry only for the individual owner of the card. Vehicles may not enter the park using a pass card. (9/3/97) (amended 9/26/05)
6. One and only one day pass may be used for credit towards the purchase of a resident or resident senior citizen (62 years of age or older) season permit. Amounts exceeding the cost of the permit will not be refunded and may not be applied towards purchase of duplicates (9/3/97)
7. All vehicle season stickers must be affixed no higher than four (4) inches from the bottom line of the driver's side of the windshield. (9/3/97) (amended 9/26/05)
8. Vehicles with a capacity of more than 15 passengers can not obtain a season permit and must pay the regular day pass rates. (9/3/97)

Comment [DRJ18]: 16 including driver

D. DAY-USE VISITOR PASS FEES

1. Motor Vehicle Day Pass -- \$10.00 (includes pass for vehicle and occupants); (12/20/99)
2. Bus Day Pass -- \$100.00; (4/24/00)
3. Student School Bus Day Pass with adult chaperone(s) -- \$50.00. 4/24/00)
4. Day-use visitor walk-ins or bike-ins shall pay \$5.00 per adult and \$1.00 per child under 12 years of age. (12/20/99) (4/24/00)

Comment [K19]: Add clarity to be 16 or less occupants, >16 is considered a bus

E. RESERVATION OF PAVILIONS

1. General
 - a. The maximum number permitted in any group is one hundred (100) people. (6/9/97), (9/3/97)
 - b. The pavilions are the only areas of the park which may be reserved for group use except

for special events made by application and approved by the Town Council. (amended 6/27/05)

- c. Reservations are limited to one group for the season.
- d. The pavilion may not be reserved on Seaside Festival Day. (9/3/97)
- e. All groups reserving the pavilion area must leave the area in as good condition as it was found or be prohibited from using the facility in the future.
- f. All trash must be removed by the group using the pavilion. Waste receptacles will not be provided by the Town. (5/29/91)
- g. All groups using the pavilion must leave the area by 7:00 pm. (5/29/91)
- 2. Reservation applications for the Tower Pavilion are accepted as follows: (5/29/91), (9/3/97)
 - a. Reservation forms are available from the Community Center Director, 200 Rogers Rd, Kittery, Maine 03904, phone 207-439-3800, and checks should be made payable to the Town of Kittery. Forms must be completed and payment made prior to finalizing the reservation date. (9/3/97)
 - b. January 1 – April 15. Reservations accepted from any Kittery group on a first come, first serve basis.
 - c. April 16 – September 23. Any group or non-profit organizations. (9/3/97)
 - d. Each group or organization must provide two (2) 2' x 2' signs saying:

Comment [rjd20]: change to Regatta Day

Comment [K21]: now to be done online? Should reservations be available during closed days (weekdays in May/Sept or winter months)

TOWER PAVILION
RESERVED TODAY
(NAME OF GROUP)

These signs should be posted by the group at the intersection of the Pier Road and the Pavilion Road and one at the Pavilion.

- 3. Tower Pavilion Reservation Fees: (5/12/86)
 - a. The reservation fee assures the group or organization that the pavilion will be reserved for their use. Payment of the pavilion fee does not include park entrance fee, which will be collected at the gate. (9/3/97)
 - b. Groups must pay the following fee rates: (6/9/97), (9/3/97)
 - 1. Small pavilion, group 35 or fewer people, \$50.00 (amended 9/26/05)
 - 2. Tower pavilion, group 50 or fewer people, \$100.00 (amended 9/26/05)
 - 3. Tower pavilion, group 51-100 people \$150.00 (amended 9/26/05)
 - 4. Cancellations will be charged a \$50.00 service fee. (6/3/97)
- 4. Pavilion Use by Kittery Non-Profit Organizations (9/3/97)
 - a. Kittery based civic, social, or non-profit organizations like scouts, fire department, Traip class reunions or church groups will be allowed into the park for one day per season fee of charges provided: (9/3/97)
 - (1.) The reservation is made for weekends in May or September and weekdays from Memorial Day through Labor Day; (9/3/97)
 - (2.) The head of the Kittery group or non-profit organization must submit a completed written application in order to reserve the pavilion and have free entrance to the park. The application must give the desired reservation date; alphabetized list of the names and number of people of the group; the individual responsible for the group; and be submitted at least 7 days prior to the anticipated

Comment [DRJ22]: update for 10% increase to \$55, \$110, \$165

- function date, otherwise gate fees will apply. (9/3/97)
- (3.) The Recreation Director will issue a written response and confirmation to the head of the organization. (9/3/97)
 - (4.) Traip Class Reunions must be celebrating their 10th, 20th, 25th, or 50th anniversary, or other anniversary years regular charges are required. (6/9/97)
 - (5.) Except for item 4.a. above, all appropriate fees shall be assessed. (9/3/97)

F. SPECIAL EVENTS

1. The Park may be used for special events such as the annual Isles of Shoals Race, scout camporees, special Town or School uses, or other activities upon approval of the Town Council. Application for special events should be made through the Recreation Department, and the Recreation Director will then forward the request to the Town Manager. The Town Manager should request the recommendations of the Parks commission, Recreation Department, Public Works Department, and may wish to include input from others, i.e., Police and Fire Departments. The Town Manager's report or recommendation will be submitted to the Town council for their consideration and determinations. (amended 6/27/05)
2. Fees may be charged for special events to cover the costs of Town employees providing services in association with the event (e.g., opening a gate early). The Commissioner of Public Works will estimate the costs associated with the event and forward these to the Town Manager (with a copy to the Parks Commission) for inclusion with the Commission's recommendation concerning the event. The Town Manager will then issue a decision in writing to the applying group. (amended 8/23/04)
3. All special events must be compatible with the mission of the Park (amended 8/23/04)

DEFINITIONS

Town residency requirements: Proof of residency can be satisfied by one or more of the following showing a Kittery address:

Maine driver's license
 State of Maine ID
 Maine vehicle registration
 Utility bill
 Piece of mail
 Personal check
 Rent or lease agreement
 Buyers order for a new home
 Being a registered voter in Kittery.

Season Permit: Includes a sticker, which allows entrance to Fort Foster for the current season, to be affixed to the windshield of your vehicle and includes a walk-in pass for each member of the immediate family identified as an individual, husband and/or wife and their blood relations who are residing in the same household, which includes a ward, foster child, or step child. (9/3/97)

Capital Improvement

Under Control

Approved as amended 6/9/97
Approved as amended 9/3/97
Approved as amended 12/20/99
Approved as amended 4/24/00
Approved as amended 5/29/02
Approved as amended 8/23/04
Approved as amended 6/27/05

Approved as amended 9/26/05
Approved as amended 1/28/08

Appendix C – 2003 User Survey Results

This appendix will be included until a new survey is taken

User surveys were distributed to visitors entering the Park in 2003. Approximately 360 survey forms were completed (see summary of results). Respondents came predominantly from the Kittery area and New Hampshire (see table), suggesting that visitors from within an approximately 20-mile radius primarily use the Park (i.e., many New Hampshire visitors were from the Portsmouth area).

LOCATION OF RESPONDENTS TO FORT FOSTER USER SURVEY

| Location | Number of Visitors | Percent |
|----------------------------------|--------------------|-------------|
| Kittery and Kittery Point, Maine | 155 | 43% |
| York, Maine | 30 | 8% |
| Eliot, Maine | 11 | 3% |
| Portland, Maine | 11 | 3% |
| South Berwick, Maine | 10 | 3% |
| Well, Maine | 5 | 1% |
| New Hampshire | 85 | 24% |
| Massachusetts | 30 | 8% |
| Florida | 5 | 1% |
| Vermont | 5 | 1% |
| New York | 3 | 1% |
| North Carolina | 3 | 1% |
| Texas | 2 | 1% |
| Missouri | 2 | 1% |
| Michigan | 2 | 1% |
| Minnesota | 1 | <1% |
| Australia | 1 | <1% |
| Total | 361 | 100% |

The vast majority of the respondents were either satisfied or very satisfied with the Park's amenities. Facilities that were not satisfactory to some respondents, in order of concern, included: 1) rest rooms, 2) the playground, 3) signage, and 4) access to the ocean.

Recommendations for improving the Park included: 1) paint the bathrooms, 2) pave a path to the bathrooms, 3) more handicapped accessible parking spaces, 4) make some portions of the beach off limits to dogs, 5) open earlier, 6) repair the playground, and 7) provided handicapped access to the beach.

Appendix D – Notes from 2003 Public Meeting Regarding Park Management

A public meeting was held on November 5th, 2003, to provide an opportunity for citizens to present their views on the management of Fort Foster Park. Approximately 20 members of the public attended for varying lengths of time. An overview of the concerns and opinions expressed by these members of the public follows.

Mission for the Park and Related Comments

- Primary function for Town owning Fort Foster is to protect its natural character
- Use by Town residents should be an over-riding concern
- Out-of-state visitor use is increasing; should this use be regulated, perhaps by charging higher fees for non-residents
- Should there be a limit on the total number of visitors per day
- Functions at the Pavilion should be a low priority in relation to day use by residents
- The Park shouldn't be seen as a source of revenue for the Town, but it should "pay its own way"

Desirable Features of the Park and Proposed Enhancements

- The Park has the potential to serve as an educational resource; it would help, though, to have signs explaining the significance of historical and ecological features; others suggested that a handout be available to describe the ecological features of the Park
- Some citizens expressed an interest in a self-guided nature walk
- Some citizens expressed an interest in a viewing platform overlooking the marsh; others, however, were opposed to this suggestion
- A suggestion was made to create a dog walking loop beginning near the entrance to the Park
- One citizen noted that substantial numbers of monarch butterflies roosted on some of the fortifications during migration
- Some suggested using volunteer caretakers to assist with maintaining the Park
- Some suggested creating a handicapped accessible path to the beach

Concerns Regarding the Park and Park Management

- Some citizens expressed concern over algae levels in the swimming area and suggested that excess nutrients in the water might be to blame (i.e., a water quality concern)
- Some believed that the lower parking lot is too close to the shore, blocking the view and contributing to pollution
- A suggestion was made to consider making the large parking lot more attractive or easier to use (marking parking spaces, for example)
- Some expressed the opinion that the pier was in need of repair; some also indicated that past repairs gave the pier a patchwork appearance and suggested a more uniform overhaul of the decking and rails
- Some expressed concern over barbed wire along the fence line and suggested that it be removed

- There was some concern expressed over visitors coming in early and claiming picnic tables that they didn't intend to use until later in the day
- Use in the Park is increasing and with it come concerns (expressed by one citizen) over the impact of dogs on the Park and its wildlife
- Some expressed concerns over the impact of visitors on the nearby islands (e.g., fires, moving rocks, and potential impacts on nesting birds)
- Some citizens asked that the number of buses visiting the Park be limited
- Some asked if the fees being charged were high enough to cover Park maintenance and improvement costs
- Some asked if the Park had a separate budget and account (i.e., are Park revenues dedicated to the Park?)
- Some were concerned over the potential use of non-native plantings in the Park
- Some indicated a concern over declining wildlife in the marsh and noted that the existing water control structure resulted in a water level that is approximately 8 inches too low
- While some favored trails, other citizens were opposed to any new trails in currently undisturbed areas
- Some felt that there were too many picnic tables
- Regarding dogs, some felt that there were too many dogs during both the winter and summer, and that there was no enforcement of Park regulations of cleaning up after your dog
- Some suggested that higher fees should be charged for private wind-surfer trailers
- Some citizens were concerned over the lack of a police presence in the Park
- Some felt that the fees charged for residents to use the Pavilion were too high
- Some citizens suggested that the Park rules be made more clear to visitors